

## ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

PacifiCorp diverts water from Fall Creek for hydropower generation pursuant to Statement of Water Diversion & Use #15372. The basis of right is a pre-1914 claim initiated in 1902 by a predecessor company for up to 3,000 miners inches (about 75 cfs). Diversions for hydropower generation have been made continuously (no continuous lapse longer than 5 years) since 1903.

PacifiCorp is signatory to the Klamath Hydroelectric Settlement Agreement, dated February 18, 2010 (Settlement). Pursuant to Interim Measure 17 (titled "Fall Creek Flow Releases") in Appendix D of the Settlement, within 90 days of the Effective Date and during the Interim Period for the duration of its ownership while the Settlement is in effect, PacifiCorp shall provide a continuous flow release to Fall Creek targeted at 5 cfs, for the term of the Settlement.

In addition to the use of water under this right for power generation this Petition proposes to include the 5 cfs bypass flow called for in the Settlement for the purpose of enhancing instream fish and wildlife habitat in the reach of Fall Creek from PacifiCorp's diversion dam to the location where the tailrace from PacifiCorp's Fall Creek powerhouse joins with Fall Creek, a distance of about 1.6 river miles. Bypass flows will be managed by an existing control gate at PacifiCorp's diversion dam (see accompanying photographs).

Insert the attachment number here, if applicable:

**Coordination with Regional Water Quality Control Board**

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: [http://www.waterboards.ca.gov/waterboards\\_map.shtml](http://www.waterboards.ca.gov/waterboards_map.shtml). Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

See comments below.

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes  No

Will a waste discharge permit be required for the project?

Yes  No

If necessary, provide additional information below:

A copy of this petition will be submitted to the North Coast Regional Water Quality Control Board.

Insert the attachment number here, if applicable:

**Local Permits**

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted:

Date of Contact:

Department:

Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below.  Yes  No

- Grading Permit
- Use Permit
- Watercourse
- Obstruction Permit
- Change of Zoning
- General Plan Change
- Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies.  Yes  No

If necessary, provide additional information below:

APNs 041-030-200, 041-020-130, 004-010-010 have split zoning (AG-2-B-40 and AG-2-B-80); APN 004-370-030 has split zoning (AG-2-B-40 and AG-1-B-40; APN 004-370-010 is zoned AG-2-B-40.

AG-2-B-40 is None-Prime Agricultural, 40-acre minimum lot size  
AG-2-B-80 is None-Prime Agricultural, 80-acre minimum lot size  
AG-1-B-40 is Prime Agricultural, 40-acre minimum lot size

Insert the attachment number here, if applicable:

**Federal and State Permits**

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board       Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams       California Coastal Commission
- State Reclamation Board       U.S. Army Corps of Engineers       U.S. Forest Service
- Bureau of Land Management       Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies.       Yes       No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

**Construction or Grading Activity**

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake?       Yes       No

If necessary, provide additional information below:

This change does not involve any new construction or grading-related activity. The diversion dam on Fall Creek and related hydropower generation facilities have been in place since 1903.

Insert the attachment number here, if applicable:

**Archeology**

Has an archeological report been prepared for this project? If yes, provide a copy.  Yes  No

Will another public agency be preparing an archeological report?  Yes  No

Do you know of any archeological or historic sites in the area? If yes, explain below.  Yes  No

If necessary, provide additional information below:

An archaeological report was prepared for the entire Klamath Hydroelectric Project (FERC Project No. 2082) pursuant to the FERC relicensing process. Survey work has been completed around the Fall Creek diversion dam and powerhouse. PacifiCorp is not aware of any archaeological sites present within the Fall Creek bypass reach.

Insert the attachment number here, if applicable:

**Photographs**

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

**Maps**

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

**All Water Right Holders Must Sign This Form:**

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated 3/13/14 at Sacramento.

Shane McLean for PacifiCorp  
Water Right Holder or Authorized Agent Signature

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Water Right Holder or Authorized Agent Signature

**NOTE:**

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)