

**Notice of Determination**

**Appendix D**

**To:**  Office of Planning and Research  
For U. S. Mail: Street Address:  
P.O. Box 3044 1400 Tenth Street  
Sacramento, CA 95812-3044 Sacramento, CA 95814

**From:** State Water Resources Control Board  
Division of Water Rights  
1001 I Street, 14<sup>th</sup> Floor  
Sacramento, CA 95814  
Attn: Michael Maher, Environmental  
Scientist/Project Manager  
Phone: (916) 341-5408  
Email: [mmaher@waterboards.ca.gov](mailto:mmaher@waterboards.ca.gov)

County Recorder-Clerk  
County of El Dorado  
360 Fair Lane  
Placerville, CA 95667

Lead Agency (if different than above):  
Address: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Phone: \_\_\_\_\_

**SUBJECT:** Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2012012022

Project Title: Chili Bar Hydroelectric Project, FERC Project No. 2155

**Project Title:** Issuance of water quality certification for the Chili Bar Hydroelectric Project (Chili Bar Project).

**Project Location (include county):** The Chili Bar Project is located in El Dorado County on the South Fork of the American River approximately 2.4 miles north of Placerville. It is located immediately downstream of the Sacramento Municipal Utility District's (SMUD) Upper American River Project (UARP).

**Project Description:** The project is issuance of water quality certification for the Federal Energy Regulatory Commission (FERC) relicensing of the Chili Bar Project, which began operation in 1965 and has been operating since then pursuant to its FERC license. The Chili Bar Project is owned and operated by Pacific Gas and Electric Company (PG&E or Licensee).

The Chili Bar Project consists of: (1) a concrete gravity dam that is 126 feet high and 380 feet long with a dam spillway that is 170 feet long with a crest elevation of 997.5 feet (National Geodetic Vertical Datum [NGVD]) located 31 feet below the crest of the dam; (2) a reservoir with a surface area of 110 acres and a useable storage capacity of 1,339 acre-feet at an elevation of 997.5 feet NGVD; and (3) a powerhouse that is 80 square feet containing a single turbine unit with a normal maximum gross head of 60 feet, a maximum hydraulic capacity of 1,979 cubic feet per second (cfs), and an installed capacity of seven megawatts. There is no project transmission line because the 21-kilovolt switchyard connects directly to the local distribution grid.

In the *Relicensing Settlement Agreement for the Upper American River Project and Chili Bar Hydroelectric Project* (Settlement Agreement), PG&E agreed to implement a comprehensive set of environmental measures addressing the full range of environmental resources in the South Fork of the American River Basin (Articles 2-1 through 2-21). These measures are intended to minimize impacts and improve existing conditions at the Chili Bar Project site. Such measures include minimum streamflows and recreational streamflows; ramping rates; coordination with the UARP licensee; implementing programs for monitoring, adaptive management, sediment management; and large woody debris; streamflow and reservoir elevation gaging; wildlife and plant protection measures; invasive weed and vegetation management plans; an annual review of ecological conditions; a Bureau of Land Management (BLM) liaison; BLM recreation improvements; public information services; visual resources protection; heritage resource discovery; reservation of authority pursuant to the Federal Power Act (FPA) Sections 4(e) and 18; and an implementation schedule.

The existing Chili Bar Project boundary ranges from approximately 50 to 250 feet from either side of the South Fork American River, and starts approximately 320 feet downstream of Chili Bar Dam (Dam) extending to approximately 3.2 miles upstream of the Dam. The existing project boundary does not include the reach downstream of the Dam. PG&E proposes to revise the Chili Bar Project boundary by reducing it from its current 254.63 acres to 103.14 acres. The proposed Chili Bar Project boundary would be at the normal maximum water surface elevation of 997.5 feet above mean sea level. The proposed Chili Bar Project boundary would enclose all project works including, but not limited to: the Dam and downstream tailrace; intake structure, powerhouse; switchyard; access roads; stream gage; and Chili Bar Reservoir. In addition, the proposed project boundary would include a 12-foot-wide corridor for a new proposed hiking trail (Sand Bar Trail) to provide public access to the reservoir shoreline.

One proposed environmental measure (Article 2-13) includes recreation improvements including: construction of: (1) a gravel parking area for three to four vehicles off Rock Creek Road; (2) a 36-inch-wide trail (the Sand Bar Trail) that meets a grade of five percent or less from the parking area to Chili Bar Reservoir; (3) a kiosk sign along the trail near its beginning, explaining the rules of the area; and (4) one picnic table of coated wire mesh material on a leveled out area that is outside of the floodplain. Construction of the proposed recreation improvements would occur within three years after the license is issued by FERC. There are currently no formal recreational facilities within the Chili Bar Project boundary. PG&E manages an informal boat launch at the Dam that is used by PG&E infrequently and exclusively for project inspection and maintenance purposes. The boat launch is inaccessible to the public.

**RECEIVED**

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STATE CLEARING HOUSE

This is to advise that the State Water Resources Control Board has approved the above-described project on \_\_\_\_\_ and has made the following determinations regarding the above-described project:  
(Date)

Lead Agency       Responsible Agency

1. The project [ will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A Statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the  Final EIR with comments and responses  Initial Study/Negative Declaration and record of project approval is available to the General Public at:

State Water Resources Control Board, Division of Water Rights, 1001 I Street, 14<sup>th</sup> Floor, Sacramento, CA 95814

Signature (Public Agency) Thomas Howard Title Executive Director

Date 11/8/12 Date received for filing at OPR \_\_\_\_\_

Authority cited: Sections 21083, Public Resources Code.  
Reference Section 21000-21174, Public Resources Code.

Revised 2005