

State Water Resources Control Board

APR 25 2012

To: FERC Service List P-2867

REQUEST TO EXTEND THE TEMPORARY SUSPENSION OF FLUSHING FLOWS, PIT 1 HYDROELECTRIC PROJECT, FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 2687

On March 22, 2012, Pacific Gas and Electric Company (PG&E) submitted a letter requesting an extension of the suspension of flushing flows for one additional year for the Pit 1 Hydroelectric Project (Project) to allow for implementation of the Shasta crayfish study plan and completion of the California Environmental Quality Act (CEQA) analysis. If approved, this request would continue the suspension of flushing flows in the Pit 1 Bypass Reach for a limited amount of time while the CEQA analysis is completed.

On June 24, 2009, PG&E submitted a request to the State Water Board to amend the water quality certification to remove Conditions 13 (flushing flows) and 14 (flushing flow effectiveness monitoring). Condition 13 of the water quality certification requires PG&E to release flushing flows during three weekends in May or June, July, and August. The flows are designed to reduce nuisance vegetation and control mosquito populations in the Fall River Pond. By letter dated August 28, 2009, State Water Board staff notified PG&E that before an amendment of the water quality certification can be considered, the State Water Board must comply with CEQA. In a letter dated December 17, 2009, United States Fish and Wildlife Service (USFWS) staff stated that flushing flows are likely resulting in take and are facilitating the decline of the endangered Shasta crayfish in the Pit 1 Bypass Reach.

On April 15, 2010, the State Water Resources Control Board (State Water Board) received a request from the Federal Energy Regulatory Commission (Commission or FERC) to temporarily suspend the flushing flow requirements in the Project's (FERC Project No. 2687) water quality certification, issued on December 4, 2001. The water quality certification conditions are incorporated into the license issued by the Commission on March 19, 2003. On July 6, 2010, the State Water Board issued Order WQ 2010-0009-EXEC, which temporarily amended the water quality certification to suspend flushing flows for two years (i.e., for 2010 and 2011) in order to allow PG&E to complete the required CEQA documentation. The two year time period has expired and the evaluation of impacts under CEQA is not complete.

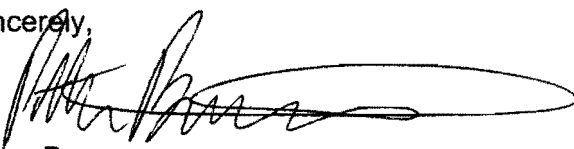
California Code of Regulations, title 23, section 3838 authorizes the Executive Director for the State Water Board to take all actions associated with applications for water quality certification. This letter serves as notice that pursuant to the California Code of Regulations, title 23, section 3858, the State Water Board intends to take action on the request to extend the temporary suspension of the flushing flow requirements no sooner than 21 days from the date of this letter.

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If you have questions regarding this letter, please contact me at (916) 445-9989 or by email at: pbarnes@waterboards.ca.gov. Written correspondence can be directed as follows:

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Sincerely,



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