State Water Resources Control Board

September 30, 2024

Mr. Matt Walker
Manager, Environmental Management
Pacific Gas and Electric Company
5555 Florin Perkins Road
Sacramento, CA 95826
Email: Matthew.Walker@pge.com

Courtright Intake/Discharge Gate, Cylinder, and Piping Improvements Project
Fresno County
Helms Creek and Courtright Reservoir

APPROVAL OF AMENDMENT TO WATER QUALITY CERTIFICATION, DEWATERING AND WATER QUALITY MONITORING PLAN, AND REVISED EROSION AND SEDIMENT CONTROL PLAN

Dear Mr. Walker:

This water quality certification (certification) amendment and approvals set forth herein are issued in response to Pacific Gas and Electric Company's (PG&E or Applicant) requests related to the Courtright Intake/Discharge Gate, Cylinder, and Piping Improvements Project (Project) certification[1]. PG&E requests: (1) an amendment to Condition 3 (Erosion, Sediment, and Hazardous Materials Control Measures) of the Project certification to allow crane maintenance and refueling on the crane pad within the ordinary high-water mark of Courtright Reservoir; (2) approval of the Project's Dewatering and Water Quality Monitoring Plan (Dewatering/Monitoring Plan) provided by PG&E on July 29, 2024; and (3) approval of a revised Erosion and Sediment Control Plan provided by PG&E on August 27, 2024. As part of its certification amendment request, PG&E provided crane maintenance and refueling best management practices that will be implemented as part of the Project to ensure water quality protections.

Project Background

PG&E owns and operates Courtright Dam, which is located on Helms Creek, a tributary of the North Fork Kings River, in Fresno County. The Project is located approximately 91 miles northeast of the city of Fresno, California. Courtright Reservoir, Courtright Dam, and all appurtenant facilities are part of PG&E's Haas-Kings River Project and the Helms Pumped Storage Project (Federal Energy Regulatory Commission [FERC] Project Nos. 1988 and 2735, respectively). Courtright Dam's hydraulic lines, cylinders,

[1] The Executive Director of the State Water Resources Control Board issued the original Project certification on July 3, 2024.

intake and discharge bulkhead gates, and bypass gates have been in use since they were first commissioned in 1981 and have reached the end of their life cycle and require replacement.

The Project include: installation of new concrete-encased hydraulic lines, gate position sensors, electrical conduits, and air vent lines; replacement of the intake/discharge gate cylinders, bulkheads gates, bypass valves, hydraulic cylinders, access ladders and platforms, and oil containment structure; and refurbishment of existing access roads, laydown areas, and crane pads above and below Courtright Reservoir's ordinary high-water mark.

In part, Condition 3 requires the Applicant to develop a management plan to ensure that appropriate erosion, sediment, and hazardous materials control measures are implemented during Project activities. Condition 3 lists erosion, sediment, and hazardous materials measures that at a minimum shall be included in the management plan. One measure states, "Vehicle refueling and maintenance shall be conducted at locations at least 100 feet away from Helms Creek, Courtright Reservoir, and in locations that include spill containment measures."

On July 23, 2024, PG&E notified State Water Resources Control Board (State Water Board) staff that the large crane that will be stationed in the dewatered Courtright Reservoir cannot readily be disassembled and moved out of the ordinary high-water mark for refueling and general maintenance, which is expected to occur once or twice a week during Project activities. The duration of the crane work is expected to be six months from October 2024 through March 2025. As the crane is a vehicle, Condition 3 of the Project certification does not allow for it to be refueled or maintained within the dewatered Courtright Reservoir without an amendment to the Project certification.

California Environmental Quality Act
As the CEQA lead agency, the State Water Board reviewed the Project description changes in relation to the Notice of Exemption (NOE) it submitted to the State Clearinghouse on July 5, 2024, for the original Project. The State Water Board considered the NOE in connection with this certification amendment and based on its independent judgement, continues to determine that the Project is categorically exempt from CEQA under Class 1 (Existing Facilities) and Class 2 (Replacement or Reconstruction). (Cal. Code Regs, tit. 14, §§ 15301, 15302.) No exceptions to the applicable exemptions apply. The modifications to the Project description are not expected to result in any additional impacts or conflict with the parameters of the exemption. The State Water Board will file an NOE within five days of issuance of this certification amendment.

Noticing
On September 4, 2024, the State Water Board provided public notice of PG&E's request for an amendment to the Project certification, pursuant to California Code of Regulations, title 23, section 3858, by posting information describing the amendment request on the Division of Water Rights Water Quality Certification Program Public Notices webpage and noticing interested parties via email. The State Water Board received no comments in response to the notice.

Amendment Request
On August 15, 2024, PG&E submitted a request to the Executive Director to amend the Project certification. PG&E's certification amendment request includes the following changes from the Project description previously certified on July 3, 2024:

- Allow for crane maintenance and refueling on the crane pad located within the ordinary high-water mark of Courtright Reservoir; and
- Implement additional best management practices, including secondary containment measures surrounding the crane, to ensure crane refueling and maintenance activities will not impact surface waters.

Request for Approval of Plans Required by the Certification
Separate from PG&E's certification amendment request, PG&E also submitted requests for review and consideration of approval by the Deputy Director of the Division of Water Rights (Deputy Director) of plans required by the Project certification. Specifically, PG&E requested approval on: (1) July 29, 2024 of the Dewatering/Monitoring Plan required by Condition 2 (Dewatering and Water Quality Monitoring) of the certification; and (2) August 27, 2024 of a revised Erosion and Sediment Control Plan[2] required by Condition 3 (Erosion, Sediment, and Hazardous Materials Control Measures) of the certification.

Dewatering/Monitoring Plan. The Dewatering/Monitoring Plan submitted for review and consideration of approval by PG&E on July 29, 2024, includes: best management practices that will be implemented during reservoir drawdown and dewatering; methods for monitoring water quality during construction; and a description of the reporting contents and schedule. Courtright Reservoir will be drawn down to an approximate elevation of 7,975 feet above mean sea level using the existing intake/discharge (I/D) structure. The area around the I/D structure will then be dewatered using screened pumps to allow access for work on the I/D structure. The pumped water from this area will be pumped into water trucks to be used for dust control on access roads and laydown areas. Helms Pumped Storage Project minimum instream flows will be maintained using seepage through the dam into Helms Creek and supplemented as necessary using an existing instream flow release valve at the base of the dam.

Erosion and Sediment Control Plan. The revised Erosion and Sediment Control Plan includes a new laydown area that would be located on the southernmost tip of the Project area. The proposed laydown area would be on previously disturbed land and thus would not require grading or vegetation removal. The proposed laydown area would be used to stage materials and park vehicles and equipment.

To provide for efficiencies in acting on multiple related requests for the Project certification, this letter also acts on PG&E's requests for Deputy Director review and consideration of approval of the Dewatering/Monitoring Plan and revised Erosion and Sediment Control Plan.

[2] The original Erosion and Sediment Control Plan was approved by the Deputy Director on August 1, 2024.

Approval of Amendment, Dewatering/Monitoring Plan, and Revised Erosion and Sediment Control Plan

The State Water Board finds that the amendment as conditioned and implementation of the Dewatering/Monitoring Plan and revised Erosion and Sediment Control Plan will comply with state water quality standards for Courtright Reservoir and Helms Creek and other appropriate requirements of state law. The State Water Board hereby amends the July 3, 2024, certification as noted in this amendment letter and shown in Attachments A and B.

Further, the State Water Board finds it appropriate to make the following correction to the certification: all references to the Central Valley Regional Water Quality Control Board's *Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin* (or "SR/SJR Basin Plan") and its water quality objectives shall be replaced with the *Water Quality Control Plan for the Tulare Lake Basin*[3] and its water quality objectives and any amendments thereto.

This certification amendment is issued with the following additional conditions:

1. This certification amendment is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to California Water Code, section 13330 and California Code of Regulations, title 23, division 3, chapter 28, article 6 (commencing with section 3867).

2. This certification amendment is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a FERC license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to California Code of Regulations, title 23, section 3855, subdivision (b) and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

3. This certification amendment is conditioned upon total payment of any fee required under California Code of Regulations, title 23, division 3, chapter 28 and owed by the applicant.

All documents and other information that constitute the public record for this amendment will be maintained by the Division of Water Rights and are available for public review at the following address:

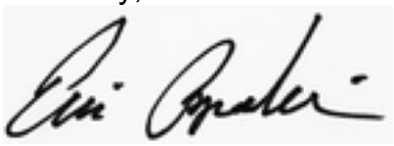
State Water Resources Control Board
Division of Water Rights
1001 I Street, Sacramento, CA 95814

Documents are currently available at this location by appointment only. Please email dwr@waterboards.ca.gov to discuss options for document review.

[3] Central Valley Regional Water Quality Control Board. 2018. *Water Quality Control Plan for the Tulare Lake Basin*. Revised May 2018 (with Approved Amendments). Available online at: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/tularelakebp_201805.pdf. Accessed September 26, 2024.

If you have questions regarding this approval, please contact Eric Bradbury, Project Manager, by email to: Eric.Bradbury@waterboards.ca.gov.

Sincerely,



Eric Oppenheimer
Executive Director

Attachment A: Courtright Intake/Discharge Gate, Cylinder, and Piping Improvements Project Water Quality Certification Amendments to Conditions 2 and 3 (Track Changes Version)

Attachment B: Courtright Intake/Discharge Gate, Cylinder, and Piping Improvements Project Water Quality Certification Amendments to Conditions 2 and 3 (Clean Version)

ec: Ms. Debbie-Anne Reese, Acting Secretary
Federal Energy Regulatory Commission
Via FERC eFiling

U.S. Environmental Protection Agency
Region 9, Water Division
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Mr. Patrick Pulupa, Executive Officer
Central Valley Regional Water Quality Control Board
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ATTACHMENT A: COURTRIGHT INTAKE/DISCHARGE GATE, CYLINDER, AND PIPING IMPROVEMENTS PROJECT WATER QUALITY CERTIFICATION AMENDMENTS TO CONDITIONS 2 AND 3 (TRACK CHANGES VERSION)

This attachment shows the changes to Conditions 2: Dewatering and Water Quality Monitoring and Condition 3: Erosion, Sediment, and Hazardous Materials Control Measures of the water quality certification (certification), issued on July 3, 2024, for Pacific Gas and Electric Company's Courtright Intake/Discharge Gate, Cylinder, and Piping Improvements Project. Text from the July 3, 2024, certification is shown as regular text. Additions are shown in **bold underlined** text, and deletions are shown in ~~strikethrough~~ text.

CONDITION 2: Dewatering and Water Quality Monitoring

The Applicant shall develop and submit a Dewatering and Water Quality Monitoring Plan (Dewatering/Monitoring Plan) to the Deputy Director for review and consideration of approval. The Dewatering/Monitoring Plan shall be submitted to the Deputy Director a minimum of 30 days prior to commencement of Project dewatering activities unless another timeline is approved by the Deputy Director. The Deputy Director may require modifications as part of any approval.

The Dewatering/Monitoring Plan shall include procedures for dewatering and diversion, including appropriate best management practices (BMPs) that will be implemented to protect water quality and beneficial uses, including maintaining required instream flows (Condition 1). No discharges or dewatering activities shall occur without appropriate BMPs and monitoring equipment in place. The Applicant shall develop the Dewatering/Monitoring Plan in consultation with State Water Board, California Department of Fish and Wildlife (CDFW), and Central Valley Regional Water Board staff. At a minimum, the Dewatering/Monitoring Plan shall include:

- Monitoring parameters. During drawdown and dewatering activities, the Applicant shall monitor for turbidity, temperature, and dissolved oxygen. During concrete work activities below the ordinary high-water mark, the Applicant shall monitor for pH, turbidity, temperature, and dissolved oxygen. The frequence of monitoring for these parameters shall be included in the plan.
- Description of measures, if needed, that will be implemented to avoid potential water quality and aquatic resource impacts. Such measures may include energy dissipating features at diversion outlets to prevent erosion.
- Actions that will be implemented to ensure discharges associated with dewatering and water diversion will not exceed water quality objectives, as defined in the *Water Quality Control Plan for the* ***Tulare Lake Basin*** **(Tulare Basin Plan)**~~*Sacramento River Basin and the San Joaquin River Basin* (SR/SJR~~

~~Basin Plan)~~ (Central Valley Regional Water Board 201**8**~~9~~ and any amendments thereto).[1]

- Description of the locations, equipment, frequency, methods, quality assurance/ quality control process, and reporting for water quality monitoring that will be implemented, including the provisions outlined below for monitoring, reporting exceedances, monitoring reports, and water quality objectives.
- Documentation of consultation with Central Valley Regional Water Board, CDFW, and State Water Board staff, including comments and recommendations made in connection with the plan, and a description of how the plan incorporates or addresses the comments and recommendations.

Water Quality Monitoring. Water quality monitoring shall be performed as described in this condition unless otherwise approved by the Deputy Director. The Applicant shall monitor water quality during in-water and water-adjacent work with the potential to result in a discharge to surface waters, which includes, but is not limited to dewatering activities and concrete work. At a minimum, water quality monitoring shall be performed during dewatering of Courtright Reservoir and any work within the ordinary high-water mark with the potential to impact water quality. At a minimum, monitoring shall be conducted using an automated sensor system for turbidity, pH, dissolved oxygen, and temperature. Additionally, the Applicant shall monitor for visible construction-related pollutants (e.g., oils, greases, fuels) throughout the Project's activities. For determining **Tulare** ~~SR/SJR~~ Basin Plan compliance with turbidity, appropriate averaging periods may be applied (e.g., an instantaneous reading showing an exceedance may not constitute a **Tulare** ~~SR/SJR~~ Basin Plan exceedance when averaged consistent with an approved Dewatering/Monitoring Plan).

Reporting Exceedances. The Deputy Director and the Central Valley Regional Water Board Executive Officer (Executive Officer) shall be notified promptly, and in no case more than 24 hours following a turbidity, dissolved oxygen, pH, temperature, or other exceedance of **Tulare** ~~SR/SJR~~ Basin Plan water quality objectives. The notice shall include the cause of the violation, measures taken to correct the violation, and measures the Applicant will implement to prevent future violations. Regardless of when such notification occurs, activities associated with the **Tulare** ~~SR/SJR~~ Basin Plan exceedance shall cease immediately upon detection of the exceedance. Work activities may resume after any appropriate corrective actions have been implemented, water quality meets the applicable **Tulare** ~~SR/SJR~~ Basin Plan water quality objective(s), and the Deputy Director has provided approval to proceed. The Deputy Director may require additional actions to help prevent similar exceedances in the future.

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[1] Central Valley Regional Water Quality Control Board. 2018. *Water Quality Control Plan for the Tulare Lake Basin*. Revised May 2018 (with Approved Amendments). Available online at: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/tularelakebp_201805.pdf. Accessed August 30, 2024.

Monitoring Reports. Every 60 days following initiation of Project activities and throughout the term of the Project, the Applicant shall submit water quality monitoring reports to the Deputy Director. Monitoring reports shall include: (1) monitoring results including raw data; (2) a description of monitoring methods, including equipment, frequency of data collection, and quality assurance/quality control protocols implemented; and (3) description of any water quality exceedances or information necessary to understand to results. If determined necessary by the Deputy Director, the Applicant shall consult with State Water Board staff regarding the need for additional site-specific measures to protect water quality.

Water Quality Objectives. Project activities shall comply with the **Tulare** ~~SR/SJR~~ Basin Plan water quality objectives, including those listed below.

Turbidity. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases in turbidity attributable to controllable water quality factors shall not exceed the following limits:

- ~~o~~ **Where natural turbidity is between 0 and 5 Nephelometric Turbidity Units (NTUs), increases shall not exceed 1 NTU.** ~~Where natural turbidity is less than one Nephelometric Turbidity Unit (NTU), controllable factors shall not cause downstream turbidity to exceed two NTUs.~~
- ~~o Where natural turbidity is between one and five NTUs, increases shall not exceed one NTU.~~
- o Where natural turbidity is between five and 50 NTUs, increases shall not exceed 20 percent.
- o Where natural turbidity is **equal to or** between 50 and 100 NTUs, increases shall not exceed 10 NTUs.
- o Where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

In determining compliance with the above limits, an appropriate averaging period, not to exceed 24 hours, may be applied, provided that beneficial uses will be fully protected.

pH. ~~The Applicant shall maintain pH between 6.5 and 8.5.~~**The pH of water shall not be depressed below 6.5, raised above 8.3, or changed at any time more than 0.3 units from normal ambient pH.**

Temperature. ~~The Applicant shall not allow temperature to rise more than 5° Fahrenheit above natural receiving water temperature.~~ **Natural temperatures of waters shall not be altered unless it can be demonstrated to the satisfaction of the Central Valley Regional Water Board that such alternation in temperature does not adversely affect beneficial uses. Elevated temperature wastes shall not cause the temperature of waters designated COLD or WARM to increase by more than 5°F above natural receiving water temperature.**

Dissolved Oxygen. ~~The Applicant shall not allow dissolved oxygen to fall below 7.0 milligrams per liter.~~**Waste discharges shall not cause the monthly median dissolved oxygen concentrations (DO) in the main water mass (at centroid of flow) of streams and above the thermocline in lakes to fall below 85 percent of saturation concentration, and the 95 percentile concentration to fall below 75 percent of saturation concentration.**

The DO in surface waters shall always meet or exceed the following minimum levels for all aquatic life:

- **Waters designated WARM 5.0 milligrams per liter (mg/l); and**
- **Waters designated COLD or SPWN 7.0 mg/l.**

Where ambient DO is less than these objectives, discharges shall not cause a further decrease in DO concentrations.

The Applicant shall not commence Project dewatering or diversion without receipt of Deputy Director approval of the Dewatering/Monitoring Plan. The Applicant shall implement the Dewatering/Monitoring Plan upon receipt of Deputy Director and any other required approvals, in accordance with the schedule and requirements specified therein. Upon approval, the Applicant shall submit the Deputy Director-approved Dewatering/Monitoring Plan to the United States Army Corps of Engineers. Any changes to the Deputy Director-approved Dewatering/Monitoring Plan shall be subsequently approved by the Deputy Director prior to implementation. The Deputy Director may require modifications as part of any approval.

The Dewatering/Monitoring Plan submitted by PG&E on July 29, 2024, satisfies the plan requirements of this condition and is hereby approved with the following modifications:

- **In addition to turbidity and water temperature, pH shall be monitored at each monitoring location at same frequency as turbidity and throughout Project implementation anytime concrete work is being conducted within Courtright Reservoir's ordinary high-water mark.**
- **All references in PG&E's Dewatering/Monitoring Plan to the Central Valley Regional Water Board's *Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin* (or "SR/SJR Basin Plan") and its water quality objectives shall be replaced with the Tulare Lake Basin Plan and its water quality objectives, and any amendments thereto.**

Any additional changes to the Dewatering/Monitoring Plan submitted on July 29, 2024, shall be approved by the Deputy Director prior to implementation. The Deputy Director may require modifications as part of any approval.

CONDITION 3: Erosion, Sediment, and Hazardous Materials Control Measures

The Applicant shall comply with the *National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit; State Water Board 2022) and any amendments thereto. If there is any conflict between the conditions of this certification and applicable conditions in the Construction General Permit, the more stringent shall apply.

The Applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the Deputy Director for review and consideration of approval a minimum of 30 days prior to commencement of Project activities unless another timeline is approved by the Deputy Director. The Deputy Director may require modifications as part of any approval. At a minimum, **and unless otherwise approved by the Deputy Director,** the SWPPP shall include the following:

- Project description and map with an assessment of all areas of construction activity and potential construction pollutant sources that are likely to occur at the construction site and a description of each BMP that will be implemented at the construction site. BMPs should be included to minimize or eliminate the exposure of stormwater to construction materials, equipment, vehicles, waste storage areas, and service areas, as well as to minimize the exposure of stormwater to contaminated soil or toxic materials.
- A schedule for the implementation and maintenance of erosion control measures and a description of the erosion control practices, including appropriate design details.
- Description of BMPs (both preventative and responsive) for addressing hazardous and non-hazardous waste and spills. The Applicant shall have on-site spill response materials throughout Project implementation. At a minimum, hazardous materials spill kits shall be clearly marked and maintained onsite adjacent to all work areas, in staging areas, and in vehicles for small spills. These kits shall include oil-absorbent material and tarps to contain and control any minor releases.
- During construction, stockpiling of construction materials, portable equipment, vehicles, and supplies shall be restricted to designated construction staging areas that shall be located outside of wetlands, surface waters, and riparian habitat. Further, equipment and materials shall be stored in existing disturbed parking areas or at least 100 feet away from waterways.
- In areas prone to run-off, inundation, and/or erosion, structures such as riprap, culverts, or retaining walls may be necessary to protect water quality. Where necessary, the Applicant shall install sediment basins or silt fences to prevent sediment runoff into streams or waterbodies that may result in impacts to water quality and aquatic habitat.
- Overwintering preparation: If construction requires multiple seasons, at the end of each construction season, the work area shall be prepared for overwintering.

All construction equipment shall be removed from the site, unless stored at a Helms Pumped Storage Project facility.

- Hazardous materials, including petroleum-based materials, shall not be stored in or near a floodplain.
- **Except for as provided in this condition or approved by the Deputy Director,** ~~V~~**v**ehicle refueling and maintenance shall be conducted at locations at least 100 feet away from Helms Creek, Courtright Reservoir, and in locations that include spill containment measures. **Crane refueling and maintenance may occur within the ordinary high-water mark of Courtright Reservoir. During crane refueling and maintenance, the Applicant shall implement BMPs submitted by PG&E on September 5, 2024, which include: (1) fueling shall occur via an approximately 100-gallon fuel cell located in the bed of a pick-up truck and shall use a nozzle that pumps at a rate of 2 gallons per minute or less and that has an auto shut off when the tank is full, such as a nozzle found at a gas station; (2) the worker conducting the fueling shall have absorbent rags on hand during fueling to wipe any small spills; (3) plastic sheeting shall be placed under the crane's fuel cell for secondary containment: and (4) fueling trucks shall be equipped with spill kits at all times. Any changes to crane refueling and maintenance best management practices shall be submitted to the Deputy Director for review and consideration of approval and shall not be implemented without prior Deputy Director approval.**
- All staff and personnel of contractors and subcontractors shall receive training regarding the appropriate work practices necessary to effectively comply with the applicable environmental laws and regulations, including hazardous materials.
- All containment structures shall comply with California Code of Regulations, title 27, section 20320. When not in use, hazardous materials shall be stored away from any watercourse.
- If Project-related hazardous materials are released, appropriate spill response procedures shall be initiated as soon as the incident is discovered. Actions that shall be taken, as applicable, include that any water contaminated by hazardous materials shall be stored in structures compliant with California Code of Regulations, title 27, section 20320, and/or disposed of properly off-site in a manner that does not impair water quality. In addition, the Deputy Director, Executive Officer, and other relevant agencies shall be notified within 24 hours of hazardous materials reaching surface waters. Notification shall include the spill's magnitude, nature, time, date, and location, as well as any actions being taken to control the spill and restore the affected area.

Unless otherwise approved by the Deputy Director, the Applicant shall not commence onsite Project work without receipt of Deputy Director approval of the SWPPP. The Applicant shall implement the SWPPP upon receipt of Deputy Director and any other required approvals. Upon approval, the Applicant shall submit the Deputy Director-approved SWPPP to the United States Army Corps of Engineers. Any changes to the Deputy Director-approved SWPPP shall be subsequently approved by the Deputy

Director prior to implementation. The Deputy Director may require modifications as part of any approval.

The revised Erosion and Sediment Control Plan as submitted by PG&E on August 27, 2024, satisfies the SWPPP requirements of this condition and is hereby approved. Any changes to the approved plan shall be subsequently approved by the Deputy Director prior to implementation. The Deputy Director may require modifications as part of any approval.

ATTACHMENT B: COURTRIGHT INTAKE/DISCHARGE GATE, CYLINDER, AND PIPING IMPROVEMENTS PROJECT WATER QUALITY CERTIFICATION AMENDMENTS TO CONDITIONS 2 AND 3 (CLEAN VERSION)

This attachment shows the changes to Conditions 2: Dewatering and Water Quality Monitoring and Condition 3: Erosion, Sediment, and Hazardous materials Control Measures of the water quality certification (certification), issued on July 3, 2024, for Pacific Gas and Electric Company's Courtright Intake/Discharge Gate, Cylinder, and Piping Improvements Project.

CONDITION 2: Dewatering and Water Quality Monitoring

The Applicant shall develop and submit a Dewatering and Water Quality Monitoring Plan (Dewatering/Monitoring Plan) to the Deputy Director for review and consideration of approval. The Dewatering/Monitoring Plan shall be submitted to the Deputy Director a minimum of 30 days prior to commencement of Project dewatering activities unless another timeline is approved by the Deputy Director. The Deputy Director may require modifications as part of any approval.

The Dewatering/Monitoring Plan shall include procedures for dewatering and diversion, including appropriate best management practices (BMPs) that will be implemented to protect water quality and beneficial uses, including maintaining required instream flows (Condition 1). No discharges or dewatering activities shall occur without appropriate BMPs and monitoring equipment in place. The Applicant shall develop the Dewatering/Monitoring Plan in consultation with State Water Board, California Department of Fish and Wildlife (CDFW), and Central Valley Regional Water Board staff. At a minimum, the Dewatering/Monitoring Plan shall include:

- Monitoring parameters. During drawdown and dewatering activities, the Applicant shall monitor for turbidity, temperature, and dissolved oxygen. During concrete work activities below the ordinary high-water mark, the Applicant shall monitor for pH, turbidity, temperature, and dissolved oxygen. The frequence of monitoring for these parameters shall be included in the plan.
- Description of measures, if needed, that will be implemented to avoid potential water quality and aquatic resource impacts. Such measures may include energy dissipating features at diversion outlets to prevent erosion.
- Actions that will be implemented to ensure discharges associated with dewatering and water diversion will not exceed water quality objectives, as defined in the *Water Quality Control Plan for the Tulare Lake Basin* (Tulare Basin Plan) (Central Valley Regional Water Board 2018 and any amendments thereto).[1]

[1] Central Valley Regional Water Quality Control Board. 2018. *Water Quality Control Plan for the Tulare Lake Basin*. Revised May 2018 (with Approved Amendments). Available online at: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/tularelakebp_201805.pdf. Accessed August 30, 2024.

- Description of the locations, equipment, frequency, methods, quality assurance/ quality control process, and reporting for water quality monitoring that will be implemented, including the provisions outlined below for monitoring, reporting exceedances, monitoring reports, and water quality objectives.
- Documentation of consultation with Central Valley Regional Water Board, CDFW, and State Water Board staff, including comments and recommendations made in connection with the plan, and a description of how the plan incorporates or addresses the comments and recommendations.

Water Quality Monitoring. Water quality monitoring shall be performed as described in this condition unless otherwise approved by the Deputy Director. The Applicant shall monitor water quality during in-water and water-adjacent work with the potential to result in a discharge to surface waters, which includes, but is not limited to dewatering activities and concrete work. At a minimum, water quality monitoring shall be performed during dewatering of Courtright Reservoir and any work within the ordinary high-water mark with the potential to impact water quality. At a minimum, monitoring shall be conducted using an automated sensor system for turbidity, pH, dissolved oxygen, and temperature. Additionally, the Applicant shall monitor for visible construction-related pollutants (e.g., oils, greases, fuels) throughout the Project's activities. For determining Tulare Basin Plan compliance with turbidity, appropriate averaging periods may be applied (e.g., an instantaneous reading showing an exceedance may not constitute a Tulare Basin Plan exceedance when averaged consistent with an approved Dewatering/Monitoring Plan).

Reporting Exceedances. The Deputy Director and the Central Valley Regional Water Board Executive Officer (Executive Officer) shall be notified promptly, and in no case more than 24 hours following a turbidity, dissolved oxygen, pH, temperature, or other exceedance of Tulare Basin Plan water quality objectives. The notice shall include the cause of the violation, measures taken to correct the violation, and measures the Applicant will implement to prevent future violations. Regardless of when such notification occurs, activities associated with the Tulare Basin Plan exceedance shall cease immediately upon detection of the exceedance. Work activities may resume after any appropriate corrective actions have been implemented, water quality meets the applicable Tulare Basin Plan water quality objective(s), and the Deputy Director has provided approval to proceed. The Deputy Director may require additional actions to help prevent similar exceedances in the future.

Monitoring Reports. Every 60 days following initiation of Project activities and throughout the term of the Project, the Applicant shall submit water quality monitoring reports to the Deputy Director. Monitoring reports shall include: (1) monitoring results including raw data; (2) a description of monitoring methods, including equipment, frequency of data collection, and quality assurance/quality control protocols implemented; and (3) description of any water quality exceedances or information necessary to understand to results. If determined necessary by the Deputy Director, the

Applicant shall consult with State Water Board staff regarding the need for additional site-specific measures to protect water quality.

Water Quality Objectives. Project activities shall comply with the Tulare Basin Plan water quality objectives, including those listed below.

Turbidity. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases in turbidity attributable to controllable water quality factors shall not exceed the following limits:

- Where natural turbidity is between 0 and 5 Nephelometric Turbidity Units (NTUs), increases shall not exceed 1 NTU.
- Where natural turbidity is between five and 50 NTUs, increases shall not exceed 20 percent.
- Where natural turbidity is equal to or between 50 and 100 NTUs, increases shall not exceed 10 NTUs.
- Where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

In determining compliance with the above limits, an appropriate averaging period, not to exceed 24 hours, may be applied, provided that beneficial uses will be fully protected.

pH. The pH of water shall not be depressed below 6.5, raised above 8.3, or changed at any time more than 0.3 units from normal ambient pH.

Temperature. Natural temperatures of waters shall not be altered unless it can be demonstrated to the satisfaction of the Central Valley Regional Water Board that such alternation in temperature does not adversely affect beneficial uses. Elevated temperature wastes shall not cause the temperature of waters designated COLD or WARM to increase by more than 5°F above natural receiving water temperature.

Dissolved Oxygen. Waste discharges shall not cause the monthly median dissolved oxygen concentrations (DO) in the main water mass (at centroid of flow) of streams and above the thermocline in lakes to fall below 85 percent of saturation concentration, and the 95th percentile concentration to fall below 75 percent of saturation concentration.

The DO in surface waters shall always meet or exceed the following minimum levels for all aquatic life:

- Waters designated WARM 5.0 milligrams per liter (mg/l)
- Waters designated COLD or SPWN 7.0 mg/l

Where ambient DO is less than these objectives, discharges shall not cause a further decrease in DO concentrations.

The Applicant shall not commence Project dewatering or diversion without receipt of Deputy Director approval of the Dewatering/Monitoring Plan. The Applicant shall implement the Dewatering/Monitoring Plan upon receipt of Deputy Director and any other required approvals, in accordance with the schedule and requirements specified therein. Upon approval, the Applicant shall submit the Deputy Director-approved Dewatering/Monitoring Plan to the United States Army Corps of Engineers. Any changes to the Deputy Director-approved Dewatering/Monitoring Plan shall be subsequently approved by the Deputy Director prior to implementation. The Deputy Director may require modifications as part of any approval.

The Dewatering/Monitoring Plan submitted by PG&E on July 29, 2024, satisfies the plan requirements of this condition and is hereby approved with the following modifications:

- In addition to turbidity and water temperature, pH shall be monitored at each monitoring location at same frequency as turbidity and throughout Project implementation anytime concrete work is being conducted within Courtright Reservoir's ordinary high-water mark.
- All references in PG&E's Dewatering/Monitoring Plan to the Central Valley Regional Water Board's *Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin* (or "SR/SJR Basin Plan") and its water quality objectives shall be replaced with the Tulare Lake Basin Plan and its water quality objectives, and any amendments thereto.

Any additional changes to the Dewatering/Monitoring Plan submitted on July 29, 2024, shall be approved by the Deputy Director prior to implementation. The Deputy Director may require modifications as part of any approval.

CONDITION 3: Erosion, Sediment, and Hazardous Materials Control Measures

The Applicant shall comply with the *National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit; State Water Board 2022) and any amendments thereto. If there is any conflict between the conditions of this certification and applicable conditions in the Construction General Permit, the more stringent shall apply.

The Applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the Deputy Director for review and consideration of approval a minimum of 30 days prior to commencement of Project activities unless another timeline is approved by the Deputy Director. The Deputy Director may require modifications as part of any approval. At a minimum, and unless otherwise approved by the Deputy Director, the SWPPP shall include the following:

- Project description and map with an assessment of all areas of construction activity and potential construction pollutant sources that are likely to occur at the construction site and a description of each BMP that will be implemented at the

construction site. BMPs should be included to minimize or eliminate the exposure of stormwater to construction materials, equipment, vehicles, waste storage areas, and service areas, as well as to minimize the exposure of stormwater to contaminated soil or toxic materials.

- A schedule for the implementation and maintenance of erosion control measures and a description of the erosion control practices, including appropriate design details.
- Description of BMPs (both preventative and responsive) for addressing hazardous and non-hazardous waste and spills. The Applicant shall have on-site spill response materials throughout Project implementation. At a minimum, hazardous materials spill kits shall be clearly marked and maintained onsite adjacent to all work areas, in staging areas, and in vehicles for small spills. These kits shall include oil-absorbent material and tarps to contain and control any minor releases.
- During construction, stockpiling of construction materials, portable equipment, vehicles, and supplies shall be restricted to designated construction staging areas that shall be located outside of wetlands, surface waters, and riparian habitat. Further, equipment and materials shall be stored in existing disturbed parking areas or at least 100 feet away from waterways.
- In areas prone to run-off, inundation, and/or erosion, structures such as riprap, culverts, or retaining walls may be necessary to protect water quality. Where necessary, the Applicant shall install sediment basins or silt fences to prevent sediment runoff into streams or waterbodies that may result in impacts to water quality and aquatic habitat.
- Overwintering preparation: If construction requires multiple seasons, at the end of each construction season, the work area shall be prepared for overwintering. All construction equipment shall be removed from the site, unless stored at a Helms Pumped Storage Project facility.
- Hazardous materials, including petroleum-based materials, shall not be stored in or near a floodplain.
- Except for as provided in this condition or approved by the Deputy Director, vehicle refueling and maintenance shall be conducted at locations at least 100 feet away from Helms Creek, Courtright Reservoir, and in locations that include spill containment measures. Crane refueling and maintenance may occur within the ordinary high-water mark of Courtright Reservoir. During crane refueling and maintenance, the Applicant shall implement the BMPs submitted by PG&E on September 5, 2024, which include: (1) fueling shall occur via an approximately 100-gallon fuel cell located in the bed of a pick-up truck and shall use a nozzle that pumps at a rate of 2 gallons per minute or less and that has an auto shut off when the tank is full, such as a nozzle found at a gas station; (2) the worker conducting the fueling shall have absorbent rags on hand during fueling to wipe any small spills; (3) plastic sheeting shall be placed under the crane's fuel cell for secondary containment: and (4) fueling trucks shall be equipped with spill kits at all times. Any changes to crane refueling and maintenance best management practices shall be submitted to the Deputy Director for review and

consideration of approval and shall not be implemented without prior Deputy Director approval.

- All staff and personnel of contractors and subcontractors shall receive training regarding the appropriate work practices necessary to effectively comply with the applicable environmental laws and regulations, including hazardous materials.
- All containment structures shall comply with California Code of Regulations, title 27, section 20320. When not in use, hazardous materials shall be stored away from any watercourse.
- If Project-related hazardous materials are released, appropriate spill response procedures shall be initiated as soon as the incident is discovered. Actions that shall be taken, as applicable, include that any water contaminated by hazardous materials shall be stored in structures compliant with California Code of Regulations, title 27, section 20320, and/or disposed of properly off-site in a manner that does not impair water quality. In addition, the Deputy Director, Executive Officer, and other relevant agencies shall be notified within 24 hours of hazardous materials reaching surface waters. Notification shall include the spill's magnitude, nature, time, date, and location, as well as any actions being taken to control the spill and restore the affected area.

Unless otherwise approved by the Deputy Director, the Applicant shall not commence onsite Project work without receipt of Deputy Director approval of the SWPPP. The Applicant shall implement the SWPPP upon receipt of Deputy Director and any other required approvals. Upon approval, the Applicant shall submit the Deputy Director-approved SWPPP to the United States Army Corps of Engineers. Any changes to the Deputy Director-approved SWPPP shall be subsequently approved by the Deputy Director prior to implementation. The Deputy Director may require modifications as part of any approval.

The revised Erosion and Sediment Control Plan as submitted by PG&E on August 27, 2024, satisfies the SWPPP requirements of this condition and is hereby approved. Any changes to the approved plan shall be subsequently approved by the Deputy Director prior to implementation. The Deputy Director may require modifications as part of any approval.