State Water Resources Control Board

October 22, 2025

Mr. Hayden Cornwell
General Manager, South Sutter Water District
2464 Pacific Avenue
Trowbridge, CA 95659
Sent via Email: hcornwell@southsutterwd.com

Camp Far West Hydroelectric Project
Federal Energy Regulatory Commission Project No. 2997
Nevada, Yuba, and Placer Counties
Camp Far West Reservoir and Bear River

AMENDMENT TO CAMP FAR WEST HYDROELECTRIC PROJECT WATER QUALITY CERTIFICATION FOR AUXILIARY SPILLWAY AND CONDITON 2(D) UPDATES

Dear Mr. Hayden Cornwell:

This water quality certification (certification) amendment is issued in response to South Sutter Water District's (SSWD's) October 25, 2024 request[1] to amend the Camp Far West Hydroelectric Project (Project) certification.[2] SSWD requests the Project certification be amended to update: (1) Condition 2(D) – Evaluation of Flows; and (2) Condition 16 – Auxiliary Spillway Project, to provide for the construction of an auxiliary spillway adjacent to the existing spillway.

Background

SSWD owns and operates the Project, which is located on the Bear River in Nevada, Yuba, and Placer Counties.

On May 24, 2019, the Central Valley Regional Water Quality Control Board (Central Valley Regional Water Board) issued a certification to SSWD for construction of the auxiliary spillway. The Central Valley Regional Water Board's certification was issued in association with a May 30, 2019, United States Army Corp of Engineers (USACE) Clean Water Act section 404 permit[3]. The certification related only to the USACE permit and did not cover SSWD's application to the Federal Energy Regulatory Commission

[1] As supplemented on June 27, 2025, August 10, 2025, and September 5, 2025.
[2] The State Water Resources Control Board's Executive Director issued the Project certification on May 16, 2022.
[3] As amended May 17, 2021 to address use of an earthen cofferdam.

(FERC) for an amendment to SSWD's Project license or the Project's relicensing. SSWD's certification application to the Central Valley Regional Water Board was not filed pursuant to title 23, section 3855, subdivision (b) of the California Code of Regulations. The Central Valley Regional Water Board's certification included the following provision:

> *This Certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to Section 3855(b) of the California Code of Regulations, and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.*

In a separate action, on May 17, 2021, SSWD filed a certification application with the State Water Resource Control Board (State Water Board or Board) for the relicensing of the Project. SSWD's relicensing certification application for the Project did not include construction of the auxiliary spillway.

On May 16, 2022, the State Water Board Executive Director issued a certification for the Project's FERC relicensing. In addition to continued operations, as part of relicensing, SSWD proposed six changes to the existing Project facilities: (1) raising Camp Far West Dam's spillway crest by five feet which would allow the normal maximum water surface elevation of Camp Far West Reservoir to increase by five feet from an elevation of 300 feet to an approximate elevation of 305 feet (also referred to as the pool raise); (2) modifying Project recreation facilities to replace or rehabilitate locations impacted by the pool raise; (3) adding an existing 0.25-mile road to the FERC license for powerhouse and switchyard access; (4) modifying the FERC boundary to add areas necessary for Project operations, and to remove 189.7 acres that are no longer necessary for Project operations[4]; (5) implementing a new flow regime and additional environmental and recreation measures; and (6) operation of a new auxiliary spillway located adjacent to the existing spillway.

The 2022 Project certification includes conditions that SSWD must implement for the protection of water quality and beneficial uses during the term of a new FERC license for the Project. The 2022 Project certification notes that under a separate FERC action, SSWD intended to construct and operate an auxiliary spillway on Camp Far West Dam. As construction of the auxiliary spillway was not part of SSWD's FERC relicensing process[5], the 2022 Project certification did not include construction of the auxiliary spillway. Instead, Condition 16 of the 2022 Project certification requires SSWD to consult with the State Water Board Deputy Director of the Division of Water Rights (Deputy Director) to determine whether an amendment to the Project certification is needed to ensure auxiliary spillway operations are protective of water quality and beneficial uses, and address flood potential.

[4] In 1991, the 1.9-mile-long transmission line was removed from the Project license.
[5] Operation of the auxiliary spillway was a component of the Project's original relicensing application.

State Water Board staff met with SSWD to discuss the applicability of the May 24, 2019 Central Valley Regional Water Board's certification to its FERC license amendment process for construction of the new auxiliary spillway. Following those discussions, on February 17, 2022, SSWD applied to the State Water Board for a certification for an amendment to its existing FERC license for construction of the new auxiliary spillway. On February 15, 2023, the State Water Board denied SSWD's certification request, noting SSWD did not provide sufficient information to inform a determination that the auxiliary spillway design and its future operations would comply with water quality objectives in the *Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin*.

Following the State Water Board's denial, on July 20, 2023, FERC dismissed SSWD's license amendment application, concluding that the auxiliary spillway should be analyzed as part of Project's FERC relicensing. FERC directed SSWD to file a revised relicensing application for the Project that includes the proposal for a new auxiliary spillway. On December 28, 2023, SSWD submitted a Revised Final License Application to FERC for the Project that included construction of the new auxiliary spillway.

On October 25, 2024, SSWD submitted to the State Water Board's Executive Director its request for a new certification or an amendment to the Project certification. On November 25, 2024, FERC issued a notice establishing a reasonable period of time of October 25, 2025, for the State Water Board to act on SSWD's certification request.

On July 27, 2025, August 10, 2025, and September 5, 2025, SSWD submitted supplemental information to the State Water Board clarifying that it is seeking a certification amendment to address construction and operation of the auxiliary spillway, requesting to update Condition 2(D) with language from a recent draft certification that the Board released for Nevada Irrigation District's Yuba-Bear Hydroelectric Project, and clarifying the auxiliary spillway's anticipated permanent and temporary impacts to wetland and related habitat.

Construction of the auxiliary spillway (shown in Attachment C, Figure A: Camp Far West Auxiliary Spillway Project Map) will include the following activities: (1) construct a ogee-type weir spillway structure adjacent to the existing Camp Far West Dam spillway that will narrow from approximately 300-foot-wide at the top of the structure to 150-foot-wide at the bottom of the structure; (2) excavate a new unlined spillway inlet channel to divert water from Camp Far West Reservoir into the new auxiliary spillway; (3) construct a new 805-foot-long unlined outlet channel to convey water from the auxiliary spillway to the existing spillway's outlet channel; (4) construct a 300-foot-long bridge to provide access to the auxiliary spillway and allow vehicles to pass over Camp Far West Dam and along Blackford Road; and (5) modify the existing Blackford Road by raising the road's west end 15 feet to accommodate the approach to the new bridge.

California Environmental Quality Act

SSWD is the California Environmental Quality Act (CEQA) lead agency for the requested amendment of the Project certification and the State Water Board is a responsible agency for purposes of CEQA compliance (Pub. Resources Code, § 21000 et seq.; Cal. Code Regs., tit. 14, § 15000 et seq.). On September 6, 2018, SSWD adopted an Initial Study/Mitigated Negative Declaration (IS/MND) for construction of the Auxiliary Spillway. On December 6, 2018, SSWD submitted to the Governor's Office of

Planning and Research[6] a Notice of Determination (NOD) for the Auxiliary Spillway IS/MND[7]. On May 15, 2020, SSWD adopted a CEQA supplement to the final IS/MND to address the addition of a cofferdam, modifications to the auxiliary spillway inlet channel design, and modifications to the road grading work. Additionally, SSWD issued an IS/MND for the Project relicensing and filed a corresponding NOD on February 25, 2022.[8]

The State Water Board will file a NOD with the Governor's Office of Land Use and Climate Innovation within five working days of issuance of this Project certification amendment. (Cal. Code Regs., tit. 14, §§ 15075, 15096, subd. (i).)

Noticing

On November 22, 2024, the State Water Board provided public notice of SSWD'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. The State Water Board received no comments in response to the notice.

On September 15, 2025, the State Water Board released a draft water quality certification amendment for the Project for public review and comment, with comments due by September 30, 2025. State Water Board staff met with SSWD during the comment period to discuss potential comments. On October 1, 2025, SSWD provided a written comment letter that reiterated and clarified the comments it provided in the pervious meeting on the draft certification amendment. SSWD's comment letter: (1) requested additional background information be included related to SSWD's USACE Clean Water Act Section 404 permit for spillway construction, and a related certification from the Central Valley Regional Water Board; (2) expressed concern that the rationale for Condition 2(D) could be interpreted to suggest that SSWD is solely responsible for future compliance with the *Water Quality Control Plan for the San Francisco Bay-Sacramento/San Joaquin Delta Estuary* (Bay-Delta Plan) , without considering other water users; and (3) requested updates to Condition 16(C)'s western pond turtle protection measures[9]. SSWD's comments were considered in the development of this final certification amendment.

In addition to considering SSWD's comments on the draft certification amendment, State Water Board staff updated Condition 2(D) to clarify that adaptive implementation provisions are part of Bay-Delta Plan implementation.

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[6] On July 1, 2024 the Office of Planning and Research became the Office of Land Use and Climate Innovation.

[7] State Clearinghouse Number 2018092009.

[8] State Clearinghouse Number 2021100570.

[9] Condition 16(C) requires relocation of western pond turtles by a qualified biologist, consistent with SSWD's CEQA mitigation measure BIO-10. SSWD requested it be allowed to halt work near any encountered turtles and allow the turtles to voluntarily leave the area before considering relocation by a qualified biologist.

Certification Amendment
The State Water Board finds that the Project will comply with state water quality standards and other appropriate requirements of state law under the amended conditions of certification, which are provided in Attachment A (strikethrough/underline version) and Attachment B (clean version). Additionally, Attachments A and B include an updated Project Description, additional references, and additional rationale for changes to conditions. The State Water Board hereby amends the May 16, 2022 Project certification with the changes presented in Attachment A of the Project certification amendment and as noted in this letter.

Additionally, this Project certification amendment is granted with the following conditions:

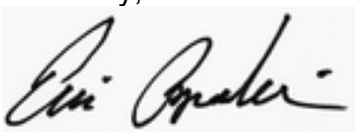
(1) This certification amendment is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to California Water Code section 13330 and California Code of Regulations, title 23, division 3, chapter 28, article 6 (commencing with section 3867).

(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.

If you have questions regarding this Project certification amendment, please contact James Noss, Project Manager, by email to: James.Noss@waterboards.ca.gov, or phone call to: (916) 327-3117.

Sincerely,



Eric Oppenheimer
Executive Director

Attachment A: Camp Far West Hydroelectric Project Water Quality Certification Amendment (Strikethrough/Underline Version)
Attachment B: Camp Far West Hydroelectric Project Water Quality Certification Amendment (Clean Version)
Attachment C: Camp Far West Auxiliary Spillway Map.

ec: Debbie Anne-Reese, Secretary
Federal Energy Regulatory Commission
Via e-filing to FERC Project Docket

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ATTACHMENT A: CAMP FAR WEST HYDROELECTRIC PROJECT WATER QUALITY CERTIFICATION AMENDMENT (STRIKE THROUGH/UNDERLINE VERSION)

The State Water Resources Control Board (State Water Board) hereby issues this amendment for the Camp Far West Hydroelectric Project (Project) water quality certification (certification) (Federal Energy Regulatory Commission (FERC) Project No. 2997), issued by the Executive Director on May 16, 2022. As part of the amendment, the State Water Board makes changes to the following sections of the Project certification:

- Section 1.0 Project Description;
- Section 5.2 Rationale for Condition 2: Minimum Instream Flows;
- Section 5.16 Rationale for Condition 16: Auxiliary Spillway Project;
- Condition 2(D) Evaluation of Flows;
- Condition 16 Auxiliary Spillway Project; and
- Section 8 References.

Additions are shown in **bold underlined** text, and deletions are shown in red ~~strikethrough~~ text.

Section 1.0 Project Description, paragraphs 3 and 4 of the 2022 Project certification are changed as follows:

In addition to continued operations, as part of the FERC relicensing process, SSWD proposes ~~five~~ **six** changes to existing Project facilities: 1) raising Camp Far West Dam's spillway crest by five feet (ft), which would allow the normal maximum water surface elevation (NMWSE) of Camp Far West Reservoir to increase by five ft from an elevation of 300 ft to an elevation of 305 ft (also referred to as the pool raise); 2) modifying Project recreation facilities to replace or rehabilitate locations impacted by the pool raise; 3) adding an existing Project road to the FERC license; 4) modifying the FERC boundary to add areas necessary for Project operations, and to remove 189.7 acres that are no longer necessary for Project operations; ~~and~~ 5) implementing a new flow regime and additional environmental and recreation measures**; and 6) constructing and operating an auxiliary spillway adjacent to the existing spillway**.

~~Under a separate pending FERC license amendment process for the current FERC Project license, SSWD intends to construct and operate an auxiliary spillway on Camp Far West Dam. The construction of the auxiliary spillway is not part of the FERC Project relicensing and will require a separate amendment to the current FERC license, as well as a separate water quality certification (certification)[2], and potential amendment to this certification (Condition 16). This certification applies to the construction activities associated with raising the existing spillway crest (i.e., pool raise) and the construction, operation, maintenance, and other activities associated with Project facilities over the term of a new FERC license.~~

~~[2] On February 17, 2022, SSWD applied for a certification associated with a FERC license amendment request for construction of the auxiliary spillway.~~

ATTACHMENT A: CAMP FAR WEST HYDROELECTRIC PROJECT WATER QUALITY CERTIFICATION AMENDMENT (STRIKE THROUGH/UNDERLINE VERSION)

Section 3.0 Federal Energy Regulatory Commission Proceedings, paragraphs 3-4 of the 2022 Project certification are changed as follows:

The FERC Project license expired on June 30, 2021. On July 13, 2021, FERC provided public notice of continued authorization for the Project to operate under the existing license until FERC acts on SSWD's application for a new license for the Project **(FERC 2021)**. ~~This public notice also noted that FERC anticipated release of a draft Environmental Assessment for the Project in January 2022 (FERC 2021).~~

On July 20, 2023, FERC concluded that the auxiliary spillway should be analyzed as part of the Project relicensing. FERC directed SSWD to file a revised license application for the Project that includes the new auxiliary spillway as described in the license amendment application SSWD submitted to FERC on November 22, 2021. On December 28, 2023, SSWD submitted its Revised Final License Application to FERC, which included construction and operation of the new auxiliary spillway (SSWD 2023a).

~~On November 22, 2021, SSWD filed an application with FERC for a non-capacity amendment under the existing Project license. Under that amendment application, SSWD proposes to construct a new auxiliary spillway structure for Camp Far West Reservoir, spillway channels, and other associated improvements and work to accommodate the new auxiliary spillway. As stated above and described in Attachment B, this certification is not for the construction activities proposed in SSWD's FERC license amendment application but does include ongoing operations of the proposed facilities once constructed and related improvements as part of the Project for purposes of the FERC relicensing for the Project.~~

Section 5.2 Rationale for Condition 2: Minimum Instream Flows of the 2022 Project certification is updated to remove the last paragraph of the section and add the following two new paragraphs:

~~The potential for further evaluation of flows during the term of the new Project FERC license is necessary due to the pending Sacramento/Delta Update to the Bay-Delta Plan, the potential modification or termination of the existing Bear River Agreement, and the potential development of voluntary agreements. To support this assessment, Condition 2(D) requires SSWD to consult on flows with CDFW, USFWS, NMFS, and State Water Board staff. Such consultation shall occur no later than 10 years following FERC license issuance, or earlier at the direction of the Deputy Director based on review of environmental monitoring data and/or Bay-Delta Plan amendments that relate to flows in the Sacramento River and its tributaries. To avoid duplication of effort, Condition 2(D) also includes a provision to forgo this consultation if SSWD enters into a State Water Board-approved comprehensive, long-term, voluntary agreement to implement Bay-Delta Plan amendments and the State Water Board amends this certification accordingly. The consultation shall also address what, if any, operational changes must be implemented~~

ATTACHMENT A: CAMP FAR WEST HYDROELECTRIC PROJECT
WATER QUALITY CERTIFICATION AMENDMENT
(STRIKE THROUGH/UNDERLINE VERSION)

As discussed in Section 4.2 of this certification, the State Water Board is in the process of updating the Bay-Delta Plan focused on the Sacramento River and its tributaries (including the Bear River). SSWD's Project operations, as well as other projects and water diversions, affect the amount of flow in the Bear River that is available to contribute to meeting Bay-Delta Plan water quality standards. Condition 2(D) requires SSWD to implement the Bay-Delta Plan and any amendments thereto and requires SSWD to develop a plan for review and approval by the State Water Board Executive Director that describes: (1) how SSWD will ensure the Project complies with applicable provisions of the Bay-Delta Plan; (2) a timeline for compliance; and (3) identification of any facility changes necessary for compliance with the Bay-Delta Plan. Condition 2(D) explains that in the event of an inconsistency with the Bay-Delta Plan and any amendments thereto, conditions of the certification remain in effect unless otherwise amended.

Beneficial uses identified in the draft Bay-Delta Plan (State Water Board 2024) that could be adversely affected by Project operations include: municipal and domestic supply; industrial service supply; industrial process supply; agricultural supply; groundwater recharge; navigation; water contact recreation; non-contact water recreation; shellfish harvesting; commercial and sport fishing; warm freshwater habitat; cold freshwater habitat; migration of aquatic organisms; spawning, reproduction, and/or early development; estuarine habitat; wildlife habitat; and rare, threatened, or endangered species. In addition, Project flows could affect tribal beneficial uses proposed to be incorporated into the Bay-Delta Plan (State Water Board 2024).

Section 5.16 Rationale for Condition 16: Auxiliary Spillway Project of the 2022 Project certification shall be entirely replaced as follows:

The Project involves the construction of a new auxiliary spillway at Camp Far West Dam that will discharge flows into the Bear River. Construction of the auxiliary spillway has the potential to impact water quality and associated beneficial uses through construction-related sediment and water discharges, use and storage of hazardous materials, concrete work adjacent to Camp Far West Reservoir, and potential dewatering, in-water, and water adjacent work activities associated with construction of the auxiliary spillway that includes installation and removal of cofferdams. Condition 16 requires SSWD to develop and implement an Auxiliary Spillway Plan that specifies how any potential dewatering would be accomplished and includes measures to ensure protection of water quality and beneficial uses during auxiliary spillway construction activities, water quality monitoring, biological resources and wetland habitat protection, construction erosion and sediment control, hazardous materials management, and reporting.

Condition 16 requires compliance with the Dredge or Fill Procedures and Water Code sections 16200-16201.

Construction of the auxiliary spillway has the potential to impact species listed as threatened or endangered pursuant to the federal Endangered Species Act (ESA) and the California ESA. Species listed as threatened or endangered under the federal and California ESAs that have the potential to occur in the Project area include: (1) Vernal pool fairy shrimp (*Branchinecta lynchi*); (2) Vernal pool tadpole shrimp (*Lepidurus packardi*); (3) Western pond turtle (*Emys marmorata*); and (4) California red-legged frog (*Rana draytonii*). Condition 16 requires measures to prevent or minimize impacts to biological resources.

Condition 16 is required pursuant to Water Code section 13264, which prohibits any discharge that is not specifically authorized in this certification.

Reporting requirements of Condition 16 are consistent with the Water Boards' authority to investigate waters of the state, including for quality, and to require necessary monitoring and reporting pursuant to Water Code sections 13267 and 13383.

Existing beneficial uses of the Bear River that may be adversely affected by the Project's auxiliary spillway construction include: contact recreation, canoeing and rafting, noncontact recreation, and wildlife habitat. Potential beneficial uses of the Bear River that may be adversely affected by the Project's auxiliary spillway construction include: warm migration, cold migration, warm spawning habitat, and cold spawning habitat.

Fish and Game Code section 5937 requires any owner of a dam to allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist downstream. Development and implementation of the Auxiliary Spillway Plan will help ensure the protection of water quality and beneficial uses.

~~According to SSWD's FLA, normal Project operation is to fill Camp Far West Reservoir in the winter, spill excess flows over the ungated existing spillway, and empty the reservoir by the end of the irrigation season (SSWD 2019a). Since the reservoir operates in a manner where flows are stored until they exceed the reservoirs' capacity and spill over Camp Far West Dam's spillway, the Project's effect on downstream flood flows are limited. As part of Project relicensing, SSWD proposed to continue to operate Camp Far West Dam in a manner consistent with current operations with the exception of implementing the pool raise and operating an auxiliary spillway. Operations of the existing and auxiliary spillway will allow higher flows to pass downstream of Camp Far West Dam than existing conditions, which could impact downstream levees (FERC 2022).~~

~~On May 3, 2022, FERC requested SSWD provide additional information regarding the Camp Far West Dam 90-Percent Auxiliary Spillway Design (FERC 2022). Specifically, FERC requests SSWD consider design changes, such as the installation of spillway gates, and operational changes (i.e., reducing the normal reservoir storage levels to~~

~~better capture and regulate flood flows).~~ ~~FERC set June 2, 2022, as the deadline for SSWD to provide additional information, which is prior to when this certification is issued.~~

~~Since designs for the auxiliary spillway and operational changes are not yet finalized, there is insufficient information available to evaluate the impacts to water quality, beneficial uses, and flood potential.~~ ~~Condition 16 requires SSWD to consult with the Deputy Director to determine if an amendment to this certification is needed to address operations of the auxiliary spillway, prior to its use.~~

Condition 2(D) Evaluation of Flows of the 2022 Project certification is entirely replaced as follows:

The Licensee shall implement applicable provisions of the *Water Quality Control Plan for the San Francisco Bay-Sacramento/San Joaquin Delta Estuary* (Bay-Delta Plan), including the program of implementation,[a] and any amendments thereto. Implementation includes compliance with any associated regulation, decision, or order. Unless the Licensee's responsibilities and timeline for implementation of the Bay-Delta Plan are explicitly defined in a newly adopted Bay-Delta Plan, no later than six months following State Water Board adoption of the Bay-Delta Plan, the Licensee shall provide the State Water Board's Executive Director with a plan, for review and consideration of approval, describing how the Licensee will comply with applicable provisions of the Bay-Delta Plan, including any approved voluntary agreement(s) or local cooperative solution(s). The plan shall include the applicable Bay-Delta Plan provisions and a detailed description of how the provisions will be implemented and the timeline associated with implementation. The plan shall also identify: (1) any facility changes necessary to implement and accurately measure Bay-Delta Plan requirements, (2) a timeline for completing facility changes, and (3) Project operations that the Licensee proposes to implement the Bay-Delta Plan prior to facility modification. The Executive Director may require changes as part of any approval. The Licensee shall implement the plan upon approval, including any changes required by the Executive Director. The Licensee shall file the Executive Director approved plan with FERC.

If implementation of flows under the Bay-Delta Plan may result in a negative impact to aquatic resources, the Licensee, a resource agency, or other party may notify the State Water Board's Executive Director of the potential negative impact and provide supporting information. The negative impact can be addressed through the adaptive implementation provisions under the Bay-Delta Plan. The Executive Director may approve temporary changes to the flow provisions of the

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[a] **Herein "Bay-Delta Plan" refers to any water quality control plan or water quality control policy adopted by the State Water Board that establishes water quality objectives and a program of implementation for the Bay-Delta that include flow contributions or other actions from the Licensee or Project-related waterbodies.**

Bay-Delta Plan under its own motion or at the request of another party in limited instances with supporting information. The Licensee shall file any such approval with FERC. As part of approval, the Executive Director may require changes to the extent necessary to ensure reasonable protection of the beneficial uses and compliance with applicable water quality control plans.

Implementation of the Bay-Delta Plan, including any approvals of voluntary agreements, does not preclude the State Water Board from identifying or requiring other actions to achieve the water quality objectives in the Bay-Delta Plan or other plans and policies, and/or exercising its authorities and responsibilities under the Water Code, article X, section 2 of the California Constitution, the public trust doctrine, or other legal obligations, through water quality certifications.

~~Following adoption of any future amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) related to flows in the Sacramento River and its tributaries (including those being developed under the Sacramento/Delta Update to the Bay-Delta Plan at the time of certification issuance), the Deputy Director may require the Licensee to initiate consultation on flows with CDFW, USFWS, NMFS, and State Water Board staff. Such consultation should determine whether the required flows are reasonably protective of water quality and beneficial uses in the Bear River, and whether they meet the requirements of the Bay-Delta Plan and other requirements of state law pertaining to water quality. The consultation shall also address what, if any, flow adjustments must be implemented to protect beneficial uses, comply with water quality objectives, or otherwise protect water quality in the Bear River, Sacramento River, Bay-Delta, and tributary watersheds. If the Licensee enters into a State Water Board-approved voluntary agreement implementing objectives in the Sacramento/Delta Update or other update to the Bay-Delta Plan and the relevant terms of the agreement are included in this certification, then the Deputy Director may determine that consultation is unnecessary if similar functions are performed through the voluntary agreement approval and amended certification processes.~~

~~If the above consultation and evaluation of flows does not occur within 10 years of FERC license issuance, the Licensee shall initiate consultation with CDFW, USFWS, NMFS, and State Water Board staff. The consultation shall include discussions of: (1) all monitoring conducted through conditions of this certification that pertain to environmental resources and Project flow releases; (2) any adverse effects to environmental resources associated with Project flow releases; and (3) proposed updates to the flow schedules and/or identification of management actions to address adverse effects to environmental resources associated with Project flow releases.~~

~~Within six months of initiating consultation and no later than 11 years following FERC license issuance, the Licensee shall submit to the Deputy Director for review and consideration of approval: documentation of consultation and the consulting agencies' comments and recommendations; any changes to the flows and/or other management~~

~~actions proposed by the Licensee; and a description of how any changes proposed by the Licensee incorporate or address the agencies' comments and recommendations. The Deputy Director may approve the Licensee's proposal or require other changes to the flows to the extent necessary to ensure reasonable protection of beneficial uses. If changes to the flows are required, within 10 days of the Deputy Director's approval of the Licensee's proposal or changes to the flows, the Licensee shall file a request with FERC to amend the flow requirements in the Project license. The Licensee shall implement the new flows as soon as reasonably practicable after receiving the Deputy Director's decision and any other required approvals.~~

Condition 16. Auxiliary Spillway Project of the 2022 Project certification is entirely replaced as follows:

CONDITION 16. Auxiliary Spillway Project

~~Prior to operating the auxiliary spillway[28], the Licensee shall consult with the Deputy Director to determine whether an amendment to this certification is needed to address auxiliary spillway operations to ensure protection of water quality and beneficial uses, and address flood potential. The Licensee must receive approval from the Deputy Director that no amendment is needed, or request and receive an amendment to this certification prior to operating the auxiliary spillway.~~

No later than six months prior to any ground disturbing activities associated with construction of the auxiliary spillway, the Licensee shall submit an Auxiliary Spillway Plan to the Deputy Director for review and consideration of approval. The Deputy Director may require changes as part of any approval. The Auxiliary Spillway Plan shall address potential construction-related impacts to water quality, including the potential release of sediment and hazardous materials, erosion, and site restoration. The Auxiliary Spillway Plan shall be developed in consultation with CDFW, USFWS, NMFS, Central Valley Regional Water Board, and State Water Board staff. Unless otherwise approved by the Deputy Director, the Auxiliary Spillway Plan shall include, at a minimum, the following:

16(A) Diversion and Dewatering

The Auxiliary Spillway Plan shall describe any diversion and dewatering activities, as needed to construct the auxiliary spillway, including:

- **Description and schedule of all construction-related activities that involve dewatering, water diversions, and in-water or water adjacent work.**

~~[28] On November 22, 2021, SSWD submitted a license amendment application to FERC for construction of an auxiliary spillway. On February 17, 2022, SSWD applied for a certification associated with its FERC license amendment request for construction of an auxiliary spillway.~~

- **Description of work related to dewatering and temporary water diversion activities, including:**
    - **Equipment and methods that will be used for dewatering and temporary water diversion, including descriptions of procedures that will be used for installation, operation, maintenance, removal, and rewatering (e.g., inspection and follow-up actions, if applicable).**
    - **Type(s) of barriers that will be installed, as needed, to isolate work areas from surface waters.**
    - **List of materials that will be used in or adjacent to the watercourse.**
- **If applicable, measures to address seepage water and/or groundwater intrusion.**
- **Measures that will be implemented to avoid potential water quality and beneficial use impacts during dewatering, water diversion, and rewatering activities (e.g., energy-dissipating features at discharge locations to prevent erosion).**

16(B) Water Quality Monitoring

The Auxiliary Spillway Plan shall describe water quality monitoring that will be performed consistent with this condition. At a minimum, water quality monitoring shall include monitoring:

- **During in-water and water adjacent work associated with construction of the auxiliary spillway that has the potential to result in a discharge to surface waters.**
- **For turbidity, pH, temperature, dissolved oxygen, and construction-related pollutants (e.g., oils, greases, fuels, turbidity, plumes).**
    - **Monitoring for turbidity, pH, temperature, and dissolved oxygen shall be conducted in 15-minute or more frequent intervals using an automated sensor system during implementation of construction-related activities with the potential to impact waters of the state.**
    - **Visual monitoring for visible pollutants shall be conducted continuously throughout active work areas for auxiliary spillway construction with the potential to result in a discharge to waters of the state.**
- **At locations that include a location no more than 300 feet downstream of the auxiliary spillway construction and a location that represents background (i.e., existing) water quality conditions. The proposed monitoring locations shall be identified in the Auxiliary Spillway Plan with a global positioning system point and photograph. The Deputy Director may require other or additional locations if the submitted locations are determined to be inadequate.**

The Auxiliary Spillway Plan shall ensure that auxiliary spillway construction complies with water quality objectives identified in the Central Valley Regional

Water Board's SR/SJR Basin Plan (Central Valley Regional Water Board 2019) and any amendments thereto. The Auxiliary Spillway Plan shall include the current water quality objectives for the following constituents and any other appropriate constituents in the SR/SJR Basin Plan: turbidity, pH, temperature, dissolved oxygen, and visible pollutants.

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 an exceedance of any water quality objective described in the SR/SJR Basin Plan. The notice shall include the cause of the exceedance, measures taken to correct the exceedance, and measures the Licensee will implement to prevent future exceedances. Regardless of when such notification occurs, activities associated with the exceedance shall cease immediately upon detection. Work activities may resume after corrective actions have been implemented if appropriate, water quality meets the 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.

16(C) Biological Resources and Wetland Habitat Protections

The Auxiliary Spillway Plan shall at a minimum, include the following measures to protect biological resources and wetland habitat:

- **Minimization of the Construction Footprint in Sensitive Habitats[b]: During auxiliary spillway construction, the work areas in sensitive habitats shall be reduced to the smallest footprint feasible. (Consistent with Mitigation Measure (MM) Biological Resources (BIO)-01 of SSWD's December 6, 2018, Final Initial Study/Mitigated Negative Declaration for the Camp Far West Auxiliary Spillway Expansion Project [SSWD's 2018 Final IS/MND].) (SSWD 2018).**
- **Biological Monitoring: A qualified biologist shall regularly monitor construction activities that could potentially cause adverse impacts to biological resources. (Consistent with MM-BIO-2 of SSWD's 2018 Final IS/MND.) Monitoring frequency shall be determined by the qualified biologist and at minimum shall occur within 24 hours prior to the start of ground disturbing activities and continue regularly throughout construction activities with the potential to result in adverse impacts to**

[b] SSWD's December 6, 2018 Final IS/MND, defines sensitive habitats as: (1) areas of special concern to resource agencies; (2) area protected under the California Environmental Quality Act; (3) areas designated as sensitive natural communities by the CDFW; (4) areas outlined in Fish and Game Code, section 1600; (5) areas regulated under Clean Water Act, section 404; and (6) areas protected under local regulations and policies.

biological resources. The qualified biologist shall have the authority to stop work in the immediate vicinity if a special-status species or other sensitive resource[c] may be harmed by construction activities.

- **Fencing: Before spillway construction begins, the Licensee shall identify wetlands, riparian habitat, and vernal pools in and around the spillway construction area that will be protected from construction activities and worker personnel. Fencing shall be installed with a gap between the ground and the bottom of the fence so that small animals do not become trapped inside the fenced area(s). The fencing shall be installed before construction activities are initiated, maintained throughout the construction period, and removed when construction is complete, (Complementary to MM-BIO-06 of SSWD's 2018 Final IS/MND.)**
- **Dry Work Areas: Work shall be performed during the dry season if feasible. If water is present at the time of construction, water shall be diverted around the work area consistent with requirements of this condition. (Consistent with MM-BIO-07 of SSWD's 2018 Final IS/MND.)**
- **Western Pond Turtles. A preconstruction survey for western pond turtles shall be conducted within a maximum of 24 hours prior to the onset of any ground disturbing activities occurring within 350 feet of Camp Far West Reservoir. The survey area shall include all potential disturbance areas within 350 feet of the reservoir, all habitat between the potential disturbance areas and the reservoir, and the reservoir's edge. If juvenile or adult turtles are found, construction activities shall not take place within a 100 foot vicinity of the turtle(s), and the turtle(s) shall be allowed to leave of its/their own volition. The turtle(s) will not be harried or harassed into leaving the area and the qualified biologist shall monitor the turtle(s) and adjust the work stoppage zone, as needed. Construction activities shall not resume until the turtle(s) have moved by its/their own volition or been relocated by the qualified biologist at least 500 feet away from the proposed disturbance area to a location with similar habitat that is outside the influence of spillway construction. If a turtle nest is found, construction activities shall not take place within 100 feet of the nest until the turtles have hatched and the juvenile turtles have moved or been relocated at least 500 feet from construction activities. Any nests shall be flagged for avoidance until the flagged nests are verified by a qualified biologist (in coordination with CDFW) as being empty (Consistent with MM-BIO-10 of SSWD's 2018 Final IS/MND.)**

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[c] In SSWD's 2018 Final IS/MSND, special-status species are defined as species that are potentially or actually at risk to persisting in a specific area or throughout their native habitat. Sensitive resources and habitats refer to those that are of particular concern to resource agencies or are protected under the California Environmental Quality Act, Sections 1600–1603 of the Fish and Game Code, and/or Sections 401 and 404 of the Clean Water Act.

- **At the end of each workday, all steep-sided excavations that are more than two feet deep shall be provided with one or more ramps, to allow biological resource egress or be covered to prevent wildlife from becoming stuck.**
- **Worker Environmental Awareness Training: A qualified biologist shall be retained to conduct mandatory worker environmental awareness training. The awareness training shall be provided to all construction personnel to brief them on the location(s) of sensitive biological resources, how to identify species (visual and auditory) most likely to be present, the need to avoid impacts to biological resources, and reporting and potential work stoppage requirements if special-status species are encountered during spillway construction. All personnel shall receive worker environmental awareness training before conducting spillway construction-related activities. Proof of personnel environmental training shall be kept on file by the Licensee. (Consistent with MM-BIO-02 of SSWD's 2018 Final IS/MND.)**
- **Work crews shall be restricted to designated and clearly defined work areas and access routes. Staging of equipment and material sites shall be restricted to designated areas.**
- **Auxiliary spillway construction will result in impacts to habitats protected by the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (Dredge or Fill Procedures) (State Water Board 2019 and 2021) and California Water Code, Division 7, Chapter 28, sections 16200-16201. The Licensee shall mitigate for permanent habitat impacts, as follows (consistent with SSWD's 2020 California Environmental Quality Act Addendum (SSWD 2020)):**
    - **The loss of 0.095 acre of seasonal swale and 0.019 acre of ephemeral channel habitat shall be mitigated for by purchasing 0.17 seasonal marsh creation credits from a United States Army Corps of Engineers (USACE) approved Mitigation Bank.**
    - **The loss of 0.045 acres of vernal pool habitat and 0.022 acres of seasonal seep habitat shall be mitigated by purchasing 0.07 acres of vernal pool established credits from a USACE approved Mitigation Bank.**
- **The Licensee shall notify the Deputy Director of any update to the estimated temporary[d] and permanent impacts if they vary from what is noted in this condition. The Licensee shall ensure no net loss of wetland or riparian habitat functions under the standards and procedures set forth in the Dredge or Fill Procedures. The Licensee shall demonstrate compliance with the Dredge or Fill Procedures upon request from the Deputy Director.**

[d] As noted in the 2020 CEQA Addendum to SSWD's Final 2018 IS/MND, the proposed Project activities would result in temporary impacts to 0.003 acre of intermittent channel and 0.063 acre of reservoir.

16(D) Construction Erosion and Sediment Control

The Auxiliary Spillway Plan shall include measures to reduce erosion and sediment discharges to surface waters. Measures to address erosion and sediment discharges shall at a minimum include the following:

- **Outside of the auxiliary spillway and associated new infrastructure, all exposed and/or disturbed areas associated with construction activities shall be returned to their original contour and grade. Disturbed areas shall be restored using locally native grass and forb seeds, plugs, or a mix of the two. Areas shall be restored with species appropriate to the area's topographical and hydrological character. For example, temporarily disturbed wetlands shall be restored with native hydrophytic species typical to the region; whereas, upland areas shall be restored with a native upland grass and forb mix. Restored areas shall be covered with broadcast straw and/or jute netted. (Consistent with MM-BIO-08 of SSWD's 2018 Final IS/MND);**
- **The Licensee shall comply with the 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.**
- **Laydown and staging areas shall be located outside of wetlands, riparian habitat, and vernal pools.**
- **If more than 0.25-inch of rain is forecast during spillway construction, all stockpiles shall be covered and surrounded with sediment control methods or berms to prevent sediment run-off.**
- **Prior to beginning construction activities within 250 feet of aquatic resources (e.g., wetlands, riparian habitat, vernal pools, swales, and surface waters), construction BMPs shall be employed to ensure aquatic resource protections. BMPs shall include the use of appropriate measures to intercept and capture sediment prior to it entering aquatic resources, as well as erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. All BMPs shall be in place prior to initiation of any construction activities and shall remain in place until construction activities are completed and restoration has been implemented (see first bullet, above). All BMPs shall be maintained until all onsite soils are stabilized. (Consistent with MM-BIO-05 of SSWD's 2018 Final IS/MND.)**

16(E) Hazardous Materials

The Auxiliary Spillway Plan shall include measures that will be implemented for the storage, management, spill prevention, cleanup, disposal, and use of

hazardous materials[e] associated with construction. At a minimum, the Licensee shall include the hazardous materials BMPs as described in Section 8 in Attachment A of SSWD's 2022 certification application for relicensing of the Project (SSWD 2022a) as well as the following measures:

- **When not in use, equipment shall be stored in upland areas outside the ordinary high-water mark of waters of the state.**
- **All construction equipment shall be inspected for leaks before entering the construction area. All equipment shall be well maintained and inspected daily while onsite to prevent leaks of fuels, lubricants, or other fluids into surface waters. Stationary equipment (e.g., generators) within 100 feet of waters of the state shall have secondary containment.**
- **Service and refueling shall be conducted in designated areas, at least 300 feet from any surface waters. Service and refueling areas shall include secondary containment including drip pans and/or placement of absorbent material.**
- **Wet concrete or cement shall not be placed into waterbodies or adjacent stream channel habitat. Concrete or cement shall be completely cured before coming into contact with waters of the state. If any surface water comes into contact with wet concrete or cement it must be pumped out and disposed of in accordance with applicable laws and regulations.**
- **Onsite containment for storage of chemicals classified as hazardous shall be stored away from watercourses and include secondary containment and appropriate management as specified in California Code of Regulations, title 27, section 20320.**
- **Any water contaminated by hazardous materials shall be disposed of properly off-site in a manner that does not impair water quality.**
- **Absorbent spill clean-up materials and spill kits shall be maintained onsite adjacent to all work areas, in staging areas, and in vehicles to absorb small spills. All used absorbent materials shall be disposed of properly.**
- **If hazardous materials are released with the potential to impact surface waters, the Licensee shall immediately cease any activities associated with construction that resulted in the release and implement measures to limit and clean up the release. The Licensee shall notify the Deputy Director and the Executive Officer promptly, and in no case more than 24 hours following the release. The notice shall include the type and quantity of material released, cause of the release, corrective measures taken, and measures the Licensee will implement to prevent future releases. The Deputy Director may require additional actions to help prevent similar**

[e] Hazardous materials include, but are not limited to: petroleum products, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete or the washing thereof, asphalt, paint, coating material, drilling fluids, or other substances potentially hazardous to water quality and beneficial uses.

releases in the future. The Licensee may resume work when the Deputy Director has provided approval to proceed.

16(F) Post-Construction Erosion and Sediment Discharge Assessment:

Following completion of auxiliary spillway construction, the Licensee shall inspect the Project site for signs of erosion and associated sediment discharges. Unless a time extension is approved by the Deputy Director, inspections shall be conducted within one week following the conclusion of each of the first three spill events that make use of the auxiliary spillway. The Licensee shall provide observations to State Water Board staff no more than two weeks following each inspection. If erosion and associated sediment discharges are observed, the Licensee shall notify the Deputy Director and Executive Officer and include: (1) a description of the erosion and associated sediment discharges with photo documentation; (2) potential causes of the erosion and associated sediment discharge; and (3) proposed measures to address the discharge, if appropriate, and prevent future erosion and associated sediment discharges. The Licensee shall implement its proposed measures within 30 days of notifying the Deputy Director. The Deputy Director may require changes or additions to the proposed measures in response to the notification. The Licensee shall implement any additional measures to address erosion and associated sediment discharges as directed by the Deputy Director. Long-term assessment and actions to address erosion associated with the auxiliary spillway shall be conducted by the Licensee per Condition 6 (Erosion and Sediment Control) of the Project certification.

16(G) Reporting

The Auxiliary Spillway Plan shall include a reporting component that at a minimum includes progress reports during auxiliary spillway construction and a completion report no later than three months following spillway completion that documents compliance with the requirements of this condition.

Section 8.0 References of the 2022 Project certification are updated to include the additional references listed below.

SSWD. 2018. *Final Initial Study/Mitigated Negative Declaration for the Camp Far West Auxiliary Spillway Project*. Available at: https://ceqanet.opr.ca.gov/2018092009/2. Accessed on August 20, 2025.

SSWD. 2020. *Addendum for the Initial Study and Mitigated Negative Declaration for the Camp Far West Auxiliary Spillway Expansion Project (SCH#2018092009). As Approved by South Sutter Water District, December 6, 2018.*

SSWD. 2022a. *Camp Far West Auxiliary Spillway Project Application for Water Quality Certification.*

ATTACHMENT A: CAMP FAR WEST HYDROELECTRIC PROJECT
WATER QUALITY CERTIFICATION AMENDMENT
(STRIKE THROUGH/UNDERLINE VERSION)

SSWD. 2023a. ***Camp Far West Hydroelectric Project (FERC Project No. 2997) Revised Application for a New License.*** **Available at: https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20231228-5409&optimized=false&sid=f1739f75-2d49-4997-a5a6-6adb60ec48f8. Accessed on August 20, 2025.**

ATTACHMENT B: CAMP FAR WEST HYDROELECTRIC PROJECT
WATER QUALITY CERTIFICATION AMENDMENT
(CLEAN VERSION)

The State Water Resources Control Board (State Water Board) hereby issues this amendment for the Camp Far West Hydroelectric Project (Project) water quality certification (certification) (Federal Energy Regulatory Commission (FERC) Project No. 2997), issued by the Executive Director on May 16, 2022. As part of the amendment, the State Water Board makes changes to the following sections of the Project certification:

- Section 1.0 Project Description;
- Section 5.2 Rationale for Condition 2: Minimum Instream Flows;
- Section 5.16 Rationale for Condition 16: Auxiliary Spillway Project;
- Condition 2(D) Evaluation of Flows;
- Condition 16 Auxiliary Spillway Project; and
- Section 8 References.

Section 1.0 Project Description, paragraphs 3 and 4 of the 2022 Project certification are changed as follows:

In addition to continued operations, as part of the FERC relicensing process, SSWD proposes six changes to existing Project facilities: 1) raising Camp Far West Dam's spillway crest by five feet (ft), which would allow the normal maximum water surface elevation (NMWSE) of Camp Far West Reservoir to increase by five ft from an elevation of 300 ft to an elevation of 305 ft (also referred to as the pool raise); 2) modifying Project recreation facilities to replace or rehabilitate locations impacted by the pool raise; 3) adding an existing Project road to the FERC license; 4) modifying the FERC boundary to add areas necessary for Project operations, and to remove 189.7 acres that are no longer necessary for Project operations; 5) implementing a new flow regime and additional environmental and recreation measures; and 6) constructing and operating an auxiliary spillway adjacent to the existing spillway.

Section 3.0 Federal Energy Regulatory Commission Proceedings, paragraphs 3-4 of the 2022 Project certification are changed as follows:

The FERC Project license expired on June 30, 2021. On July 13, 2021, FERC provided public notice of continued authorization for the Project to operate under the existing license until FERC acts on SSWD's application for a new license for the Project (FERC 2021).

On July 20, 2023, FERC concluded that the auxiliary spillway should be analyzed as part of the Project relicensing. FERC directed SSWD to file a revised license application for the Project that includes the new auxiliary spillway as described in the license amendment application SSWD submitted to FERC on November 22, 2021. On December 28, 2023, SSWD submitted its Revised Final License Application to FERC, which included construction and operation of the new auxiliary spillway (SSWD 2023a).

ATTACHMENT B: CAMP FAR WEST HYDROELECTRIC PROJECT
WATER QUALITY CERTIFICATION AMENDMENT
(CLEAN VERSION)

Section 5.2 Rationale for Condition 2: Minimum Instream Flows of the 2022 Project certification is updated to remove the last paragraph of the section and add the following two new paragraphs:

As discussed in Section 4.2 of this certification, the State Water Board is in the process of updating the Bay-Delta Plan focused on the Sacramento River and its tributaries (including the Bear River). SSWD's Project operations, as well as other projects and water diversions, affect the amount of flow in the Bear River that is available to contribute to meeting Bay-Delta Plan water quality standards. Condition 2(D) requires SSWD to implement the Bay-Delta Plan and any amendments thereto and requires SSWD to develop a plan for review and approval by the State Water Board Executive Director that describes: (1) how SSWD will ensure the Project complies with applicable provisions of the Bay-Delta Plan; (2) a timeline for compliance; and (3) identification of any facility changes necessary for compliance with the Bay-Delta Plan. Condition 2(D) explains that in the event of an inconsistency with the Bay-Delta Plan and any amendments thereto, conditions of the certification remain in effect unless otherwise amended.

Beneficial uses identified in the draft Bay-Delta Plan (State Water Board 2024) that could be adversely affected by Project operations include: municipal and domestic supply; industrial service supply; industrial process supply; agricultural supply; groundwater recharge; navigation; water contact recreation; non-contact water recreation; shellfish harvesting; commercial and sport fishing; warm freshwater habitat; cold freshwater habitat; migration of aquatic organisms; spawning, reproduction, and/or early development; estuarine habitat; wildlife habitat; and rare, threatened, or endangered species. In addition, Project flows could affect tribal beneficial uses proposed to be incorporated into the Bay-Delta Plan (State Water Board 2024).

Section 5.16 Rationale for Condition 16: Auxiliary Spillway Project of the 2022 Project certification shall be entirely replaced as follows:

The Project involves the construction of a new auxiliary spillway at Camp Far West Dam that will discharge flows into the Bear River. Construction of the auxiliary spillway has the potential to impact water quality and associated beneficial uses through construction-related sediment and water discharges, use and storage of hazardous materials, concrete work adjacent to Camp Far West Reservoir, and potential dewatering, in-water, and water adjacent work activities associated with construction of the auxiliary spillway that includes installation and removal of cofferdams. Condition 16 requires SSWD to develop and implement an Auxiliary Spillway Plan that specifies how any potential dewatering would be accomplished and includes measures to ensure protection of water quality and beneficial uses during auxiliary spillway construction activities, water quality monitoring, biological resources and wetland habitat protection, construction erosion and sediment control, hazardous materials management, and reporting.

Condition 16 requires compliance with the Dredge or Fill Procedures and Water Code sections 16200-16201.

Construction of the auxiliary spillway has the potential to impact species listed as threatened or endangered pursuant to the federal Endangered Species Act (ESA) and the California ESA. Species listed as threatened or endangered under the federal and California ESAs that have the potential to occur in the Project area include: (1) Vernal pool fairy shrimp (*Branchinecta lynchi*); (2) Vernal pool tadpole shrimp (*Lepidurus packardi*); (3) Western pond turtle (*Emys marmorata*); and (4) California red-legged frog (*Rana draytonii*). Condition 16 requires measures to prevent or minimize impacts to biological resources.

Condition 16 is required pursuant to Water Code section 13264, which prohibits any discharge that is not specifically authorized in this certification.

Reporting requirements of Condition 16 are consistent with the Water Boards' authority to investigate waters of the state, including for quality, and to require necessary monitoring and reporting pursuant to Water Code sections 13267 and 13383.

Existing beneficial uses of the Bear River that may be adversely affected by the Project's auxiliary spillway construction include: contact recreation, canoeing and rafting, noncontact recreation, and wildlife habitat. Potential beneficial uses of the Bear River that may be adversely affected by the Project's auxiliary spillway construction include: warm migration, cold migration, warm spawning habitat, and cold spawning habitat.

Fish and Game Code section 5937 requires any owner of a dam to allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist downstream. Development and implementation of the Auxiliary Spillway Plan will help ensure the protection of water quality and beneficial uses.

Condition 2(D) Evaluation of Flows of the 2022 Project certification is entirely replaced as follows:

The Licensee shall implement applicable provisions of the *Water Quality Control Plan for the San Francisco Bay-Sacramento/San Joaquin Delta Estuary* (Bay-Delta Plan), including the program of implementation,[a] and any amendments thereto. Implementation includes compliance with any associated regulation, decision, or order. Unless the Licensee's responsibilities and timeline for implementation of the Bay-Delta Plan are explicitly defined in a newly adopted Bay-Delta Plan, no later than six months

[a] Herein "Bay-Delta Plan" refers to any water quality control plan or water quality control policy adopted by the State Water Board that establishes water quality objectives and a program of implementation for the Bay-Delta that include flow contributions or other actions from the Licensee or Project-related waterbodies.

following State Water Board adoption of the Bay-Delta Plan, the Licensee shall provide the State Water Board's Executive Director with a plan, for review and consideration of approval, describing how the Licensee will comply with applicable provisions of the Bay-Delta Plan, including any approved voluntary agreement(s) or local cooperative solution(s). The plan shall include the applicable Bay-Delta Plan provisions and a detailed description of how the provisions will be implemented and the timeline associated with implementation. The plan shall also identify: (1) any facility changes necessary to implement and accurately measure Bay-Delta Plan requirements, (2) a timeline for completing facility changes, and (3) Project operations that the Licensee proposes to implement the Bay-Delta Plan prior to facility modification. The Executive Director may require changes as part of any approval. The Licensee shall implement the plan upon approval, including any changes required by the Executive Director. The Licensee shall file the Executive Director approved plan with FERC.

If implementation of flows under the Bay-Delta Plan may result in a negative impact to aquatic resources, the Licensee, a resource agency, or other party may notify the State Water Board's Executive Director of the potential negative impact and provide supporting information. The negative impact can be addressed through the adaptive implementation provisions under the Bay-Delta Plan. The Executive Director may approve temporary changes to the flow provisions of the Bay-Delta Plan under its own motion or at the request of another party in limited instances with supporting information. The Licensee shall file any such approval with FERC. As part of approval, the Executive Director may require changes to the extent necessary to ensure reasonable protection of the beneficial uses and compliance with applicable water quality control plans.

Implementation of the Bay-Delta Plan, including any approvals of voluntary agreements, does not preclude the State Water Board from identifying or requiring other actions to achieve the water quality objectives in the Bay-Delta Plan or other plans and policies, and/or exercising its authorities and responsibilities under the Water Code, article X, section 2 of the California Constitution, the public trust doctrine, or other legal obligations, through water quality certifications.

Condition 16. Auxiliary Spillway Project of the 2022 Project certification is entirely replaced as follows:

CONDITION 17. Auxiliary Spillway Project

No later than six months prior to any ground disturbing activities associated with construction of the auxiliary spillway, the Licensee shall submit an Auxiliary Spillway Plan to the Deputy Director for review and consideration of approval. The Deputy Director may require changes as part of any approval. The Auxiliary Spillway Plan shall address potential construction-related impacts to water quality, including the potential release of sediment and hazardous materials, erosion, and site restoration. The Auxiliary Spillway Plan shall be developed in consultation with CDFW, USFWS, NMFS, Central Valley Regional Water Board, and State Water Board staff. Unless otherwise

approved by the Deputy Director, the Auxiliary Spillway Plan shall include, at a minimum, the following:

16(A) Diversion and Dewatering

The Auxiliary Spillway Plan shall describe any diversion and dewatering activities, as needed to construct the auxiliary spillway, including:

- Description and schedule of all construction-related activities that involve dewatering, water diversions, and in-water or water adjacent work.
- Description of work related to dewatering and temporary water diversion activities, including:
    - Equipment and methods that will be used for dewatering and temporary water diversion, including descriptions of procedures that will be used for installation, operation, maintenance, removal, and rewatering (e.g., inspection and follow-up actions, if applicable).
    - Type(s) of barriers that will be installed, as needed, to isolate work areas from surface waters.
    - List of materials that will be used in or adjacent to the watercourse.
- If applicable, measures to address seepage water and/or groundwater intrusion.
- Measures that will be implemented to avoid potential water quality and beneficial use impacts during dewatering, water diversion, and rewatering activities (e.g., energy-dissipating features at discharge locations to prevent erosion).

16(B) Water Quality Monitoring

The Auxiliary Spillway Plan shall describe water quality monitoring that will be performed consistent with this condition. At a minimum, water quality monitoring shall include monitoring:

- During in-water and water adjacent work associated with construction of the auxiliary spillway that has the potential to result in a discharge to surface waters.
- For turbidity, pH, temperature, dissolved oxygen, and construction-related pollutants (e.g., oils, greases, fuels, turbidity, plumes).
    - Monitoring for turbidity, pH, temperature, and dissolved oxygen shall be conducted in 15-minute or more frequent intervals using an automated sensor system during implementation of construction-related activities with the potential to impact waters of the state.
    - Visual monitoring for visible pollutants shall be conducted continuously throughout active work areas for auxiliary spillway construction with the potential to result in a discharge to waters of the state.
- At locations that include a location no more than 300 feet downstream of the auxiliary spillway construction and a location that represents background (i.e., existing) water quality conditions. The proposed monitoring locations shall be identified in the Auxiliary Spillway Plan with a global positioning system point and

photograph. The Deputy Director may require other or additional locations if the submitted locations are determined to be inadequate.

The Auxiliary Spillway Plan shall ensure that auxiliary spillway construction complies with water quality objectives identified in the Central Valley Regional Water Board's SR/SJR Basin Plan (Central Valley Regional Water Board 2019) and any amendments thereto. The Auxiliary Spillway Plan shall include the current water quality objectives for the following constituents and any other appropriate constituents in the SR/SJR Basin Plan: turbidity, pH, temperature, dissolved oxygen, and visible pollutants.

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 an exceedance of any water quality objective described in the SR/SJR Basin Plan. The notice shall include the cause of the exceedance, measures taken to correct the exceedance, and measures the Licensee will implement to prevent future exceedances. Regardless of when such notification occurs, activities associated with the exceedance shall cease immediately upon detection. Work activities may resume after corrective actions have been implemented if appropriate, water quality meets the 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.

16(C) Biological Resources and Wetland Habitat Protections

The Auxiliary Spillway Plan shall at a minimum, include the following measures to protect biological resources and wetland habitat:

- Minimization of the Construction Footprint in Sensitive Habitats[b]: During auxiliary spillway construction, the work areas in sensitive habitats shall be reduced to the smallest footprint feasible. (Consistent with Mitigation Measure (MM) Biological Resources (BIO)-01 of SSWD's December 6, 2018, Final Initial Study/Mitigated Negative Declaration for the Camp Far West Auxiliary Spillway Expansion Project [SSWD's 2018 Final IS/MND].) (SSWD 2018).
- Biological Monitoring: A qualified biologist shall regularly monitor construction activities that could potentially cause adverse impacts to biological resources. (Consistent with MM-BIO-2 of SSWD's 2018 Final IS/MND.) Monitoring frequency shall be determined by the qualified biologist and at minimum shall occur within 24 hours prior to the start of ground disturbing activities and continue

[b] SSWD's December 6, 2018 Final IS/MND, defines sensitive habitats as: (1) areas of special concern to resource agencies; (2) area protected under the California Environmental Quality Act; (3) areas designated as sensitive natural communities by the CDFW; (4) areas outlined in Fish and Game Code, section 1600; (5) areas regulated under Clean Water Act, section 404; and (6) areas protected under local regulations and policies.

regularly throughout construction activities with the potential to result in adverse impacts to biological resources. The qualified biologist shall have the authority to stop work in the immediate vicinity if a special-status species or other sensitive resource[c] may be harmed by construction activities.

- Fencing: Before spillway construction begins, the Licensee shall identify wetlands, riparian habitat, and vernal pools in and around the spillway construction area that will be protected from construction activities and worker personnel. Fencing shall be installed with a gap between the ground and the bottom of the fence so that small animals do not become trapped inside the fenced area(s). The fencing shall be installed before construction activities are initiated, maintained throughout the construction period, and removed when construction is complete, (Complementary to MM-BIO-06 of SSWD's 2018 Final IS/MND.)
- Dry Work Areas: Work shall be performed during the dry season if feasible. If water is present at the time of construction, water shall be diverted around the work area consistent with requirements of this condition. (Consistent with MM-BIO-07 of SSWD's 2018 Final IS/MND.)
- Western Pond Turtles. A preconstruction survey for western pond turtles shall be conducted within a maximum of 24 hours prior to the onset of any ground disturbing activities occurring within 350 feet of Camp Far West Reservoir. The survey area shall include all potential disturbance areas within 350 feet of the reservoir, all habitat between the potential disturbance areas and the reservoir, and the reservoir's edge. If juvenile or adult turtles are found, construction activities shall not take place within a 100 foot vicinity of the turtle(s), and the turtle(s) shall be allowed to leave of its/their own volition. The turtle(s) will not be harried or harassed into leaving the area and the qualified biologist shall monitor the turtle(s) and adjust the work stoppage zone, as needed. Construction activities shall not resume until the turtle(s) have moved by its/their own volition or been relocated by the qualified biologist at least 500 feet away from the proposed disturbance area to a location with similar habitat that is outside the influence of spillway construction. If a turtle nest is found, construction activities shall not take place within 100 feet of the nest until the turtles have hatched and the juvenile turtles have moved or been relocated at least 500 feet from construction activities. Any nests shall be flagged for avoidance until the flagged nests are verified by a qualified biologist (in coordination with CDFW) as being empty (Consistent with MM-BIO-10 of SSWD's 2018 Final IS/MND.)

[c] In SSWD's 2018 Final IS/MSND, special-status species are defined as species that are potentially or actually at risk to persisting in a specific area or throughout their native habitat. Sensitive resources and habitats refer to those that are of particular concern to resource agencies or are protected under the California Environmental Quality Act, Sections 1600–1603 of the Fish and Game Code, and/or Sections 401 and 404 of the Clean Water Act.

- At the end of each workday, all steep-sided excavations that are more than two feet deep shall be provided with one or more ramps, to allow biological resource egress or be covered to prevent wildlife from becoming stuck.
- Worker Environmental Awareness Training: A qualified biologist shall be retained to conduct mandatory worker environmental awareness training. The awareness training shall be provided to all construction personnel to brief them on the location(s) of sensitive biological resources, how to identify species (visual and auditory) most likely to be present, the need to avoid impacts to biological resources, and reporting and potential work stoppage requirements if special-status species are encountered during spillway construction. All personnel shall receive worker environmental awareness training before conducting spillway construction-related activities. Proof of personnel environmental training shall be kept on file by the Licensee. (Consistent with MM-BIO-02 of SSWD's 2018 Final IS/MND.)
- Work crews shall be restricted to designated and clearly defined work areas and access routes. Staging of equipment and material sites shall be restricted to designated areas.
- Auxiliary spillway construction will result in impacts to habitats protected by the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (Dredge or Fill Procedures) (State Water Board 2019 and 2021) and California Water Code, Division 7, Chapter 28, sections 16200-16201. The Licensee shall mitigate for permanent habitat impacts, as follows (consistent with SSWD's 2020 California Environmental Quality Act Addendum (SSWD 2020)):
    - The loss of 0.095 acre of seasonal swale and 0.019 acre of ephemeral channel habitat shall be mitigated for by purchasing 0.17 seasonal marsh creation credits from a United States Army Corps of Engineers (USACE) approved Mitigation Bank.
    - The loss of 0.045 acres of vernal pool habitat and 0.022 acres of seasonal seep habitat shall be mitigated by purchasing 0.07 acres of vernal pool established credits from a USACE approved Mitigation Bank.
- The Licensee shall notify the Deputy Director of any update to the estimated temporary[d] and permanent impacts if they vary from what is noted in this condition. The Licensee shall ensure no net loss of wetland or riparian habitat functions under the standards and procedures set forth in the Dredge or Fill Procedures. The Licensee shall demonstrate compliance with the Dredge or Fill Procedures upon request from the Deputy Director.

[d] As noted in the 2020 CEQA Addendum to SSWD's Final 2018 IS/MND, the proposed Project activities would result in temporary impacts to 0.003 acre of intermittent channel and 0.063 acre of reservoir.

16(D) Construction Erosion and Sediment Control

The Auxiliary Spillway Plan shall include measures to reduce erosion and sediment discharges to surface waters. Measures to address erosion and sediment discharges shall at a minimum include the following:

- Outside of the auxiliary spillway and associated new infrastructure, all exposed and/or disturbed areas associated with construction activities shall be returned to their original contour and grade. Disturbed areas shall be restored using locally native grass and forb seeds, plugs, or a mix of the two. Areas shall be restored with species appropriate to the area's topographical and hydrological character. For example, temporarily disturbed wetlands shall be restored with native hydrophytic species typical to the region; whereas, upland areas shall be restored with a native upland grass and forb mix. Restored areas shall be covered with broadcast straw and/or jute netted. (Consistent with MM-BIO-08 of SSWD's 2018 Final IS/MND);
- The Licensee shall comply with the 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.
- Laydown and staging areas shall be located outside of wetlands, riparian habitat, and vernal pools.
- If more than 0.25-inch of rain is forecast during spillway construction, all stockpiles shall be covered and surrounded with sediment control methods or berms to prevent sediment run-off.
- Prior to beginning construction activities within 250 feet of aquatic resources (e.g., wetlands, riparian habitat, vernal pools, swales, and surface waters), construction BMPs shall be employed to ensure aquatic resource protections. BMPs shall include the use of appropriate measures to intercept and capture sediment prior to it entering aquatic resources, as well as erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. All BMPs shall be in place prior to initiation of any construction activities and shall remain in place until construction activities are completed and restoration has been implemented (see first bullet, above). All BMPs shall be maintained until all onsite soils are stabilized. (Consistent with MM-BIO-05 of SSWD's 2018 Final IS/MND.)

16(E) Hazardous Materials

The Auxiliary Spillway Plan shall include measures that will be implemented for the storage, management, spill prevention, cleanup, disposal, and use of hazardous

materials[e] associated with construction. At a minimum, the Licensee shall include the hazardous materials BMPs as described in Section 8 in Attachment A of SSWD's 2022 certification application for relicensing of the Project (SSWD 2022a) as well as the following measures:

- When not in use, equipment shall be stored in upland areas outside the ordinary high-water mark of waters of the state.
- All construction equipment shall be inspected for leaks before entering the construction area. All equipment shall be well maintained and inspected daily while onsite to prevent leaks of fuels, lubricants, or other fluids into surface waters. Stationary equipment (e.g., generators) within 100 feet of waters of the state shall have secondary containment.
- Service and refueling shall be conducted in designated areas, at least 300 feet from any surface waters. Service and refueling areas shall include secondary containment including drip pans and/or placement of absorbent material.
- Wet concrete or cement shall not be placed into waterbodies or adjacent stream channel habitat. Concrete or cement shall be completely cured before coming into contact with waters of the state. If any surface water comes into contact with wet concrete or cement it must be pumped out and disposed of in accordance with applicable laws and regulations.
- Onsite containment for storage of chemicals classified as hazardous shall be stored away from watercourses and include secondary containment and appropriate management as specified in California Code of Regulations, title 27, section 20320.
- Any water contaminated by hazardous materials shall be disposed of properly off-site in a manner that does not impair water quality.
- Absorbent spill clean-up materials and spill kits shall be maintained onsite adjacent to all work areas, in staging areas, and in vehicles to absorb small spills. All used absorbent materials shall be disposed of properly.
- If hazardous materials are released with the potential to impact surface waters, the Licensee shall immediately cease any activities associated with construction that resulted in the release and implement measures to limit and clean up the release. The Licensee shall notify the Deputy Director and the Executive Officer promptly, and in no case more than 24 hours following the release. The notice shall include the type and quantity of material released, cause of the release, corrective measures taken, and measures the Licensee will implement to prevent future releases. The Deputy Director may require additional actions to help prevent similar releases in the future. The Licensee may resume work when the Deputy Director has provided approval to proceed.

[e] Hazardous materials include, but are not limited to: petroleum products, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete or the washing thereof, asphalt, paint, coating material, drilling fluids, or other substances potentially hazardous to water quality and beneficial uses.

16(F) Post-Construction Erosion and Sediment Discharge Assessment:

Following completion of auxiliary spillway construction, the Licensee shall inspect the Project site for signs of erosion and associated sediment discharges. Unless a time extension is approved by the Deputy Director, inspections shall be conducted within one week following the conclusion of each of the first three spill events that make use of the auxiliary spillway. The Licensee shall provide observations to State Water Board staff no more than two weeks following each inspection. If erosion and associated sediment discharges are observed, the Licensee shall notify the Deputy Director and Executive Officer and include: (1) a description of the erosion and associated sediment discharges with photo documentation; (2) potential causes of the erosion and associated sediment discharge; and (3) proposed measures to address the discharge, if appropriate, and prevent future erosion and associated sediment discharges. The Licensee shall implement its proposed measures within 30 days of notifying the Deputy Director. The Deputy Director may require changes or additions to the proposed measures in response to the notification. The Licensee shall implement any additional measures to address erosion and associated sediment discharges as directed by the Deputy Director. Long-term assessment and actions to address erosion associated with the auxiliary spillway shall be conducted by the Licensee per Condition 6 (Erosion and Sediment Control) of the Project certification.

16(G) Reporting

The Auxiliary Spillway Plan shall include a reporting component that at a minimum includes progress reports during auxiliary spillway construction and a completion report no later than three months following spillway completion that documents compliance with the requirements of this condition.

Section 8.0 References of the 2022 Project certification are updated to include the additional references listed below.

SSWD. 2018. *Final Initial Study/Mitigated Negative Declaration for the Camp Far West Auxiliary Spillway Project*. Available at: https://ceqanet.opr.ca.gov/2018092009/2. Accessed on August 20, 2025.

SSWD. 2020. *Addendum for the Initial Study and Mitigated Negative Declaration for the Camp Far West Auxiliary Spillway Expansion Project (SCH#2018092009). As Approved by South Sutter Water District, December 6, 2018*.

SSWD. 2022a. *Camp Far West Auxiliary Spillway Project Application for Water Quality Certification*.

SSWD. 2023a. *Camp Far West Hydroelectric Project (FERC Project No. 2997) Revised Application for a New License.* Available at: https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20231228-5409&optimized=false&sid=f1739f75-2d49-4997-a5a6-6adb60ec48f8. Accessed on August 20, 2025.

ATTACHMENT C: CAMP FAR WEST AUXILIARY SPILLWAY MAP.

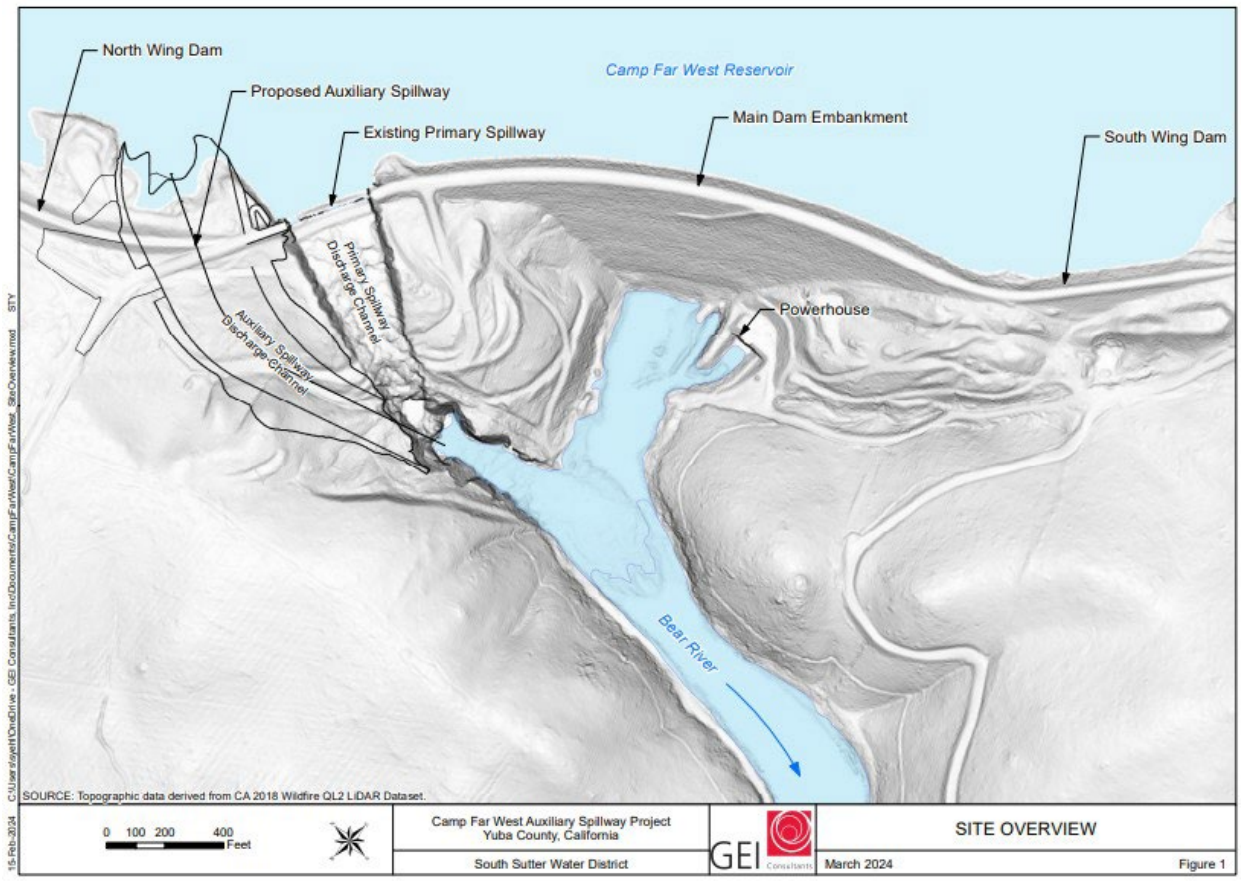

Figure A: Map of the proposed auxiliary spillway with respect to the main dam and existing spillway