
State Water Resources Control Board

PUBLIC COMMENT PERIOD FOR DRAFT WATER QUALITY CERTIFICATION

STS HYDROPOWER, LLC'S REMOVAL AND DECOMMISSIONING OF THE KANAKA HYDROELECTRIC PROJECT LICENSE SURRENDER FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 7242)

To: Interested Parties Mailing List

STS Hydropower, LLC (STS) owns the Kanaka Hydroelectric Project (Hydroelectric Project), also known as Federal Energy Regulatory Commission (FERC) Project No. 7242. Pursuant to section 401 of the federal Clean Water Act, STS has applied to the State Water Resources Control Board (State Water Board or Board) for water quality certification (certification) for the Removal and Decommissioning of the Kanaka Powerhouse for the Hydroelectric Project License Surrender (Project). While not required, the State Water Board is providing this opportunity for public review and comment on a draft certification for the Project.

Background

STS is seeking to surrender the FERC license for the Hydroelectric Project, which requires STS to obtain certification from the State Water Board that decommissioning of the Hydroelectric Project will be protective of water quality and comply with water quality standards and other appropriate requirements of state law. On July 15, 2024, STS submitted a request for certification for the Project to the State Water Board.

Brief Description of Project

The Hydroelectric Project is located on private property on Sucker Run Creek in Butte County, approximately 15 miles east from Oroville, and three miles northwest of the census designated place of Forbestown, California. Sucker Run Creek is a tributary to the South Fork Feather River that flows into Lake Oroville.

In August 2017, the Ponderosa Fire burned approximately 4,000 acres and severely damaged the Hydroelectric Project. As a result of the fire, the Hydroelectric Project ceased power generation. STS is proposing to decommission the Hydroelectric Project and surrender its FERC license.

The Hydroelectric Project currently consists of: (1) Kanaka Diversion Dam (which is privately owned by the current landowner) that is approximately 12-foot-high and 36-foot-long and equipped with a flashboard gate spillway, low-level outlet, 16-inch-diameter bypass gate, and a screened intake that, when operating, would divert up to 30 cubic feet per second to a wet well and a 5,669-foot-long penstock that was used for power generation; (2) a 3-foot-high by 8-foot-wide monitoring weir located approximately 80 feet downstream of the diversion dam; (3) a 35-foot by 38-foot Kanaka

Powerhouse with a 28-foot-long tailrace that when operating, discharged flow back to Sucker Run Creek; and (4) appurtenant facilities. When operational, Kanaka Diversion Dam entrained 0.23 acre-feet of water and the powerhouse generated up to 1.12 megawatts.

As part of the Project, STS is proposing to: (1) remove the former Kanaka Powerhouse and substation structures and regrade the site to match surrounding contours; (2) install a concrete plug in the screened intake pipe, permanently inhibiting water diversions to the penstock; (3) cut and cap the lower end of the penstock and install a concrete plug to permanently disconnect the penstock from the powerhouse and abandon-in-place the penstock; (4) install a sand and gravel plug in the penstock wet well to stop water collection (5) fill and grade the tailrace with native material to abandon it in place; (6) abandon-in-place the Kanaka Diversion Dam; and (7) rehabilitate an existing unnamed access road by removing vegetation to provide access for the decommissioning of the Hydroelectric Project. Following Project implementation, the road will remain in place.

Water Quality Certification

In California, the State Water Board is responsible for protecting the State's water quality, including through issuance of certification under Section 401 of the Clean Water Act. Certification must ensure compliance with water quality standards and other appropriate requirements of state law, such as water quality control plan standards. A certification is required before FERC can issue a license for a project. If the State denies certification, FERC cannot issue a license for the project. If the State issues a certification with conditions, those conditions become conditions of the federal license. In this case, the conditions of the certification would become mandatory conditions of FERC's license surrender order for the Hydroelectric Project.

Opportunity for Public Comment

This draft certification does not constitute final action by the State Water Board on STS's request for certification of the Project. The State Water Board is releasing this draft certification to provide the public with an opportunity to review and comment on draft conditions developed to protect water quality and beneficial uses. The comment period for the draft certification is from the date of this notice until July 7, 2025.

Comments on the draft certification must be received by 12:00 pm (noon) on July 7, 2025, and can be submitted electronically (preferred) or by mail as follows:

Email (preferred):

glenn.hoffmann@waterboards.ca.gov

or

Mail:

State Water Resources Control Board
Division of Water Rights – Water Quality Certification Program
Attn. Glenn Hoffmann
P.O. Box 2000
Sacramento, CA 95812-2000

The Project draft certification and additional information regarding the State Water Board's certification process for the Project are available on the State Water Board's webpage for the [Kanaka Hydroelectric Project](#).

KEEP INFORMED OF PROJECT MILESTONES

To receive emails related to the Project and other projects pursuing certifications managed by the Division of Water Rights, interested persons should enroll in the “Water Rights Water Quality Certification” e-mail notification service. Instructions on how to sign up for the State Water Board’s Email Subscription List are outlined below:

1. Visit the [Board’s Email Subscription webpage](#)¹ and click on the “State Water Resources Control Board” link.
2. Provide your email in the required fields, then click the “Submit” button.
3. In the next page, below Subscription Topics, select “Water Rights,” then “Water Rights Water Quality Certification”.
4. Click the "Submit" button.
5. An email will be sent to you. You must respond to the email message to confirm your membership on the selected topic(s).

By enrolling in this email list, you will receive notices for other current projects in the Division of Water Rights’ Water Quality Certification Program, including the Project. If you do not have internet access or do not wish to participate in the email notification list, you may contact Glenn Hoffmann by phone at: (916) 319-9943 and leave a message to request to receive notices by mail. You can enroll or un-enroll from the email notification service at any time.

If you have questions related to this notice, the best means of contact is by email to: glenn.hoffmann@waterboards.ca.gov.

Parker Thaler
Parker Thaler
Environmental Program Manager I
Water Quality Certification Program
Division of Water Rights

6/19/25
Date

¹ https://waterboards.ca.gov/resources/email_subscriptions/