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## State Water Resources Control Board

### **PUBLIC COMMENT PERIOD FOR DRAFT WATER QUALITY CERTIFICATION**

### **PACIFIC GAS AND ELECTRIC COMPANY'S PHOENIX HYDROELECTRIC PROJECT FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 1061**

To: Interested Parties Mailing List:

Pursuant to section 401 of the federal Clean Water Act, the State Water Resources Control Board (State Water Board) has released a draft water quality certification for the Phoenix Hydroelectric Project (Project), Federal Energy Regulatory Commission (FERC) Project No. 1061. The State Water Board is providing this opportunity for public review and comment on the draft certification.

#### Project Background

On August 24, 2020, the Pacific Gas and Electric Company (PG&E) filed a final license application with FERC proposing to relicense the Project. On July 2, 2021, FERC issued a *Notice of Application Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions* for the Project (REA). On August 26, 2021, PG&E applied to the State Water Board for water quality certification (certification) pursuant to section 401 of the Clean Water Act (33 U.S.C. § 1341).

#### Project Description

The Project is located in the foothills of the western slope of the Sierra Nevada in Tuolumne County, California. The primary Project facilities include: Lyons Dam and Reservoir; a cushion dam about 80 feet downstream of Lyons Dam; the Main Tuolumne Canal; Phoenix Header Box (forebay to the powerhouse); a penstock; and the Phoenix Powerhouse. The Project is operated for power generation, to provide minimum instream flows into the South Fork Stanislaus River, and to provide water to the Tuolumne Utilities District for municipal and agricultural use. PG&E is not proposing new developments; however, PG&E is proposing to modify the existing Project boundary to encompass all facilities necessary for operation and maintenance of the Project.

#### Water Quality Certification

In California, the State Water Board is responsible for protecting the State's water quality, including through issuance of certification. 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

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

project license. If the State denies certification, FERC cannot issue the license. If the State issues a certification with conditions, those conditions become conditions of the federal license.

Opportunity for Public Comment

This draft certification does not constitute a final action by the State Water Board. 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 29, 2022. **Comments on the draft certification must be received by 5:00 pm on July 29, 2022**, and can be submitted electronically or by mail as follows:

Email: WR401Program@waterboards.ca.gov

or

Mail:

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

The draft certification and additional information regarding the State Water Board's process are available on the [Project webpage](https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/phoenix_ferc1061.html), which is located online at:  
[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/phoenix\\_ferc1061.html](https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/phoenix_ferc1061.html)

**KEEP INFORMED OF PROJECT MILESTONES**

To receive emails related to the Projects, 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:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml)

2. Provide your name and email in the required fields.

3. In the categories below the email and name fields, select “Water Rights,” then “Water Rights Water Quality Certification.”

4. Click the "Subscribe" button.

5. An email will be sent to you. You must respond to the email message to confirm your membership on the selected list(s).

By enrolling in this email list, you will receive notices for Division of Water Rights’ Water Quality Certification Program pertaining to the Projects’ certification process. If you do not have internet access or do not wish to participate in the email subscription list, you may contact Eric Bradbury by phone at (916) 327-9401 to request to receive notices by mail. You can enroll or un-enroll from the email subscription service at any time.

If you have questions concerning this notice, the best means of contact is by email. If you have questions regarding this notice, please contact State Water Board staff by email at: [WR401Program@waterboards.ca.gov](mailto:WR401Program@waterboards.ca.gov).

*Ann Marie Ore*

Ann Marie Ore  
Water Quality Certification Program Manager  
Division of Water Rights

June 27, 2022

Date

Enclosure: Draft Water Quality Certification for the Phoenix Hydroelectric Project

ec (with enclosures):

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