



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

June 13, 2014

To: FERC Service List P-2867

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

On April 21, 2014, Pacific Gas and Electric Company (PG&E) submitted a letter requesting an extension of the suspension of flushing flows for one additional year for the Pit 1 Hydroelectric Project (Project) to allow for completion of the California Environmental Quality Act (CEQA) analysis, which is required before action can be taken on the request to permanently suspend flushing flows. The State Water Resources Control Board is issuing Order WQ 2014-0023-EXEC (enclosed) approving the extension of the temporary suspension of flushing flow requirements for the Project. Approval of this request continues the suspension of flushing flows in the Pit 1 Bypass Reach for a limited amount of time while the CEQA analysis is completed.

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

On April 15, 2010, the State Water Board received a request from the Federal Energy Regulatory Commission (Commission or FERC) to temporarily suspend the flushing flow requirements in the Project's (FERC Project No. 2687) water quality certification, issued on December 4, 2001. The water quality certification conditions are incorporated into the license issued by the Commission on March 19, 2003. On July 6, 2010, the State Water Board issued Order WQ 2010-0009-EXEC, which temporarily amended the water quality certification to suspend flushing flows for two years (i.e., for 2010 and 2011) in order to allow PG&E to complete the required CEQA documentation.

On March 22, 2012, PG&E submitted a letter requesting an extension of the suspension of flushing flows for one additional year for the Project to allow for implementation of the Shasta crayfish study plan and completion of the CEQA analysis. On June 14, 2012, the State Water Board issued Order WQ 2012-0008-EXEC approving the temporary suspension of flushing flow requirements through 2012. The Shasta crayfish study plan was completed and the final report issued on January 31, 2013.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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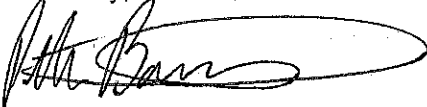
On March 28, 2013, PG&E submitted a letter requesting an extension of the suspension of flushing flows for one additional year for the Project to allow for the completion of the draft environmental impact report (EIR) required by CEQA. On June 20, 2013, the State Water Board issued Order WQ 2013-0024-EXEC approving the temporary suspension of flushing flow requirements through 2013. The State Water Board released a Notice of Preparation for the EIR on May 17, 2013. State Water Board staff held scoping meetings in Redding and McArthur, California on June 10, 2013. In addition to the oral comments submitted at the scoping meetings, State Water Board accepted written comments through June 24, 2013. Written comments were submitted by the California Department of Fish and Wildlife, American Whitewater, and 18 members of the public. In August of 2013, State Water Board staff released the EIR Scoping Summary Report. The information collected in through the scoping process is being used in the development of the draft EIR.

California Code of Regulations, title 23, section 3838 authorizes the Executive Director for the State Water Board to take all actions connected with applications for water quality certification. This letter serves as notice that pursuant to the California Code of Regulations, title 23, section 3858, the State Water Board is taking action on the request to extend the temporary suspension of the flushing flow requirements.

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

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Sincerely,



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Enclosures

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