



Linda S. Adams
Secretary for
Environmental Protection

**California Regional Water Quality Control Board
North Coast Region
John W. Corbett, Chairman**

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Arnold
Schwarzenegger
Governor

August 22, 2007

Ms. Jody Spooner
Geysers Power Company, LLC (GPC)
10350 Socrates Mine Road
Middletown, CA 95461

Dear Ms. Spooner:

Subject: Issuance of Section Water Quality Certification for Calpine, Exploratory Borings for Big Sulphur Creek (BSC) #2 Water Extraction Facilities Replacement and Maintenance project

File: Calpine, Exploratory Borings for Big Sulphur Creek (BSC) #2 Water Extraction Facilities Replacement and Maintenance Project
WDID No. 1B07112WNSO

This Order by the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), is being issued pursuant to Article 4 of Chapter 28, Division 3, Title 23 of the California Code of Regulations (23 CCR 3830-3869). It is being issued in response to the Calpine/Geysers Power Company, LLC (GPC), July 18, 2007, request for a California Code of Regulations Water Quality Certification. The Regional Water Board received a complete application and processing fee on July 18, 2007. Information describing the proposed project was noticed for public comment for a 21-day period on the Regional Water Board's website. No comments were received.

Project Description: Calpine, Exploratory Borings for Big Sulphur Creek (BSC) #2 Water Extraction Facilities Replacement and Maintenance project (Project).

The Project is located at 10350 Socrates Mine Road, approximately 20 miles east of Geyserville, Sonoma County, (APN no. 117-160-014 & 141-020-023). The latitude and longitude is approximately 37° 47' 30" N, -122° 47' 30" W. The purpose of the Project is to assess the condition of infiltration gallery walls, pipes, and slots. This information will be used to finalize plans for a future maintenance and/or replacement project. It is hoped that this investigation will allow a reduction in the amount of future work needed, thus minimizing disturbance to Big Sulphur Creek.

California Environmental Protection Agency

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The Project entails excavation of two exploratory borings at an existing water intake gallery on Big Sulphur Creek upstream of a total fish passage barrier. Before conducting borings, the project site will be isolated from stream flow and dewatered. Each boring will be approximately 6 feet deep. A total of approximately 10 cubic yards of material will be removed from the two borings. A section of PVC pipe will also be removed. And cameras will be inserted. All spoils will be stockpiled and returned to the boring holes in order to return Big Sulphur Creek to its original, pre-project conditions. Equipment access for the borings will be from the existing road to a non-wetted portion of the channel. A 12' x 12' pad will be placed in the creek to hold construction equipment in order to minimize creek bed impacts; it will be removed following the exploration activities.

The applicant has applied for authorization from the United States Army Corps of Engineers (file No. 299111N) to perform the Project under Nationwide Permit #6, pursuant to Clean Water Act, section 404.

The applicant has applied for a California Department of Fish and Game (CDFG) Streambed Alteration Agreement (1602), file number 1600-2005-0724-3.

Based on a review of the Project information submitted to date, Regional Water Board staff determined that this Project is categorically exempt from CEQA review (Class 1, Section 15306 – Information Collection) and anticipate filing a Notice of Exemption for this Project.

The Project is scheduled to begin mid-August 2007 and should take less than two weeks to complete.

Receiving Water: Big Sulphur Creek and the Russian River Hydrologic Unit No.114.26.

Filled or Excavated Area: 0.004 acre
Area Temporarily Impacted: 0.004 acre
Area Permanently Impacted: None

Federal Permit: United States Army Corps of Engineers (file No. 299111N)
Nationwide Permit #6

Compensatory Mitigation: None.

**Non-Compensatory
Mitigation:**

Before conducting borings, the project site will be isolated from stream flow and dewatered. Equipment access for the borings will be from the existing road to a non-wetted portion of the channel. A 12' x 12' pad will be placed in the creek to hold construction equipment in order to minimize creek bed impacts; it will be removed following the exploration activities.

CEQA Compliance:

Regional Water Board staff determined that this Project is categorically exempt from CEQA review (Class 1, Section 15306 – Information Collection) and anticipate filing a Notice of Exemption for this Project.

Standard Conditions:

Project (Facility No. 1B07112WNSO), as described in the application will comply with sections 301, 302, 303, 306 and 307 of the Clean Water Act, and with applicable provisions of state law, provided that Applicant complies with the following terms and conditions:

- 1) This certification action is subject to modification or revocation upon administrative or judicial review; including review and amendment pursuant to Water Code section 13330 and title 23, California Code of Regulations, section 3867.
- 2) 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 title 23, California Code of Regulations, section 3855, subdivision (b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- 3) This certification is conditioned upon total payment of any fee required under chapter 28, title 23, California Code of Regulations, and owed by the applicant.

Additional Conditions:

Pursuant to 23 CCR 3859(a), the applicant shall comply with the following additional conditions:

- 1) No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any

construction or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State. When operations are completed, any excess material or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream.

- 2) Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. The disturbed portions of any stream channel shall be restored to as near their original condition as possible. Restoration shall include the mulching of stripped or exposed soil areas at the work site by the end of the work period.

Water Quality Certification: I hereby issue an Order pursuant to 23 CCR 3859 and 33 USC 1341 certifying that any discharge from the Exploratory Borings for Big Sulphur Creek (BSC) #2 Water Extraction Facilities Replacement and Maintenance will comply with the applicable provisions of California Code of Regulations Water Quality Certification and the Porter-Cologne Act.

All certification actions are contingent on: a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicant's project description, and b) compliance with all applicable requirements of the Regional Water Quality Control Board's Water Quality Control Plan for the North Coast Region (Basin Plan).

Expiration: This water quality certification expires upon completion of the Project or on December 31, 2007, whichever occurs first.

Please notify Stephen Bargsten of our staff at (707) 576-2653 when the construction commences so that we can answer any public inquiries about the work.

Sincerely,

Robert R. Klamt
Interim Executive Officer

Original sent to: Ms. Jody Spooner, Geysers Power Company, LLC (GPC)
10350 Socrates Mine Road, Middletown, CA 95461

Copies sent to: Mr. Bill Orme, SWRCB, Acting 401 Program Manager, Clean Water
Act Section 401 Certification and Wetlands Unit Program

Ms. Kimberly Niemeyer, SWRCB, Office of the Chief Counsel

Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory
Functions, 1455 Market Street, San Francisco, CA 94103-1398

Mr. Bill Cox, California Department of Fish and Game, P.O. Box 47,
Yountville, CA 94599