

State Water Resources Control Board
Division of Water Quality --- Water Quality Certification Program

**Public Notice for Water Quality Certification (Dredge/Fill Projects)
Tule Wind LLC -- Tule Wind Project**

State Water Resources Control Board file no. SB-11005IN
U.S. Army Corps of Engineers file no. 2009-00969-SAS

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (Regional Water Boards) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Resources Control Board (State Water Board) has this responsibility for projects affecting waters within multiple Regional Water Board jurisdictions.

The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Certification Program.

Applicant: Tule Wind LLC

Applicant Contact: Ingrid Eich
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Project Name: Tule Wind Project

Date of Application: August 19, 2011

Affected County: San Diego

Tule Wind LLC (Applicant) proposes the development of a wind farm to be located in eastern San Diego County (See Project Area Map below). The proposed project would be constructed and operated on approximately 15,500 acres, comprised of lands administered by the BLM as well as private lands

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under county jurisdiction, state lands, and lands within the Ewiiapaayp Indian Reservation. The project would be constructed in mountainous, largely uninhabited land east and north of McCain Valley, which lies just north of the community of Boulevard (approximately 65 miles east of San Diego on Interstate Highway 8). The application does not address project elements on Tribal lands.

The purpose of the proposed project is the generation of up to 200 mw of electricity through development of a wind farm which would construct up to 128 wind turbines and associated facilities. The proposed project would widen existing access roads and construct new access roads, overhead collection systems, transmission lines, wind turbines, underground collector systems, and a parking lot. Implementation of these components would result in temporary and permanent impacts waters of the state, including wetlands, and including waters of the U.S.

The application reports that the project will entail permanent impacts to 0.407 acre (1,349 linear feet) of streams and temporary impacts to 0.632 acre (3,969 linear feet) of streams that are waters of the state, including waters of the U.S. The applicant has proposed various best management practices to reduce the risk of impacts to waters, and has proposed compensatory mitigation for permanent impacts.

The California Public Utilities Commission (CPUC) and Bureau of Land Management (BLM) have prepared a Joint Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/DEIS) in compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) for consideration of an application to build and operate the East County (ECO) Substation Project.

The Joint DEIR/DEIS also addresses an application to build and operate the Tule Wind Project and an application to build and operate the Energia Sierra Juarez Generator Tie-Line (ESJ Gen-Tie) Project as “connected actions” under NEPA and “whole of the action” under CEQA. Therefore, the ECO Substation Project, Tule Wind Project, and ESJ Gen-Tie Project are collectively referred to as the Proposed Project in the Joint DEIR/DEIS.

The CPUC issued an Interim Decision of Findings on April 26, 2012 certifying the Environmental Impact Report/Environmental Impact Statement for the East County Substation, Tule Wind, and Energia Sierra Juarez Generation Tie-In Projects.

In compliance with federal Clean Water Act, section 404 and U.S. Army Corps of Engineers (Corps) regulations, all Project activity will occur under Nationwide Permits issued by the Corps (file no. 2009-00969-SAS). Water Board staff are proposing to regulate this Project pursuant to Section 401 of the Clean Water Act

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(33 USC 1341) and Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact Cliff Harvey at (916) 558-1709. (charvey@waterboards.ca.gov).

Date Posted: February 28, 2013

State Water Resources

Control Board Staff Contact:

Cliff Harvey, Environmental Scientist

Water Quality Certification Unit,

Division of Water Quality

State Water Resources Control Board

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Note: No regulatory decision on the application is implied or intended in this public notice.

KEEP INFORMED OF PROJECT MILESTONES

To be informed of milestones in the development of this proposed Water Quality Certification, any interested persons should enroll in the State Water Board's 401 Program e-mail notification service.

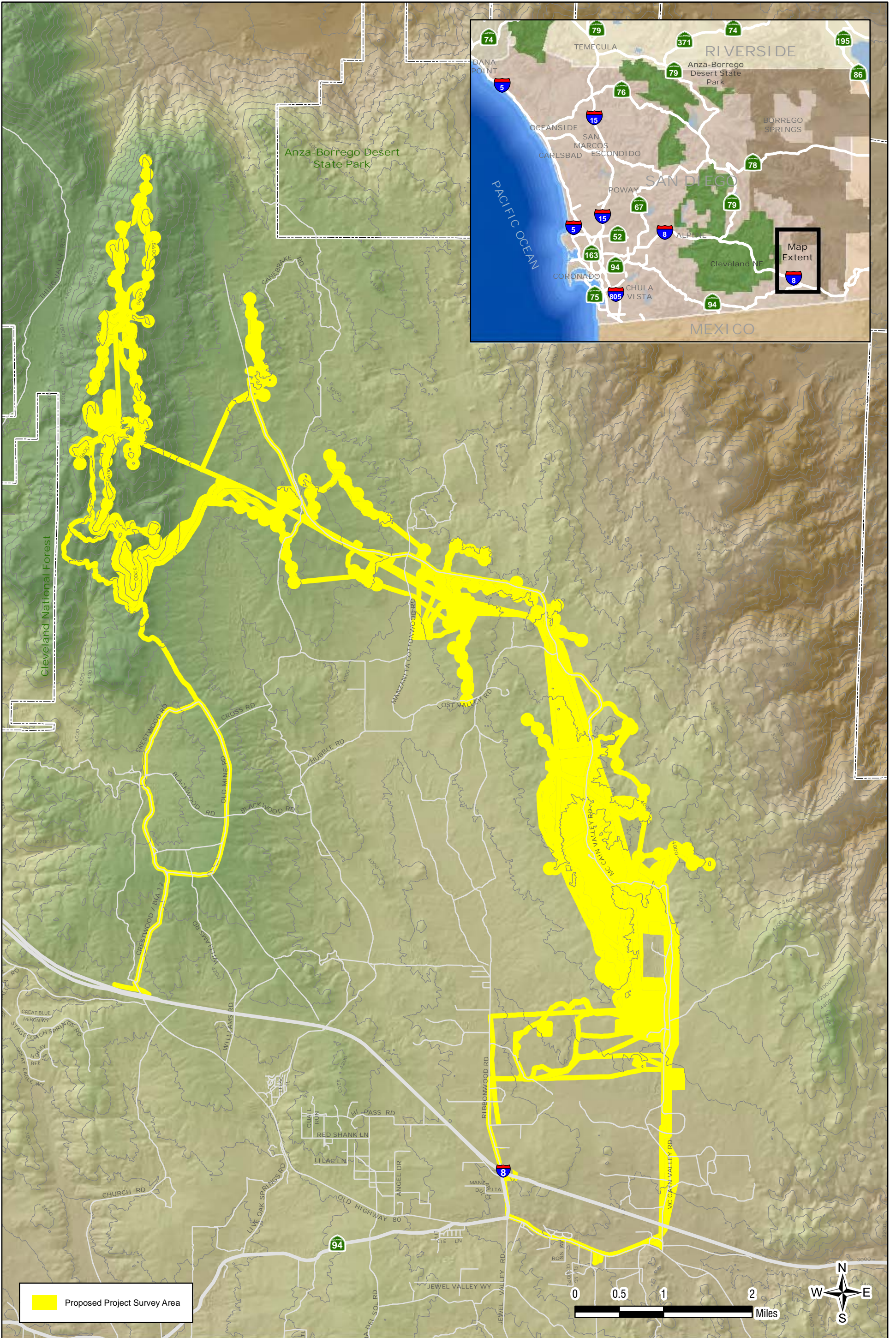
Click the SUBSCRIBE button under the "Quick Links" section of the 401 Program Webpage at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml

By enrolling in this list, you will receive notices for all current 401 project applications, including the project announced in this notice. You will need a valid e-mail address to use this service. If you do not have internet access or do not wish to participate in the Lyris list, contact the staff person named in the notice to express your interest in receiving notices by other means.

You can enroll or un-enroll at any time. The State Water Board will not disclose your name or e-mail information to any outside parties, and will not use this information for any other purpose.

TULE WIND PROJECT AREA MAP



Regional Vicinity & Proposed Project Survey Area

FIGURE 1