

Sent Electronically:
Matt.Myers@wildlife.ca.gov

Matt Myers
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California Department of Fish and Wildlife
601 Locust St
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RE: MUCK VALLEY HYDROELECTRIC PROJECT FERC-8296 MINIMUM FLOW VARIANCE REQUEST

Mr. Myers:

Brookfield Renewable Energy Group (Brookfield) is requesting your approval for a temporary reduction in our minimum flow from the Muck Valley Hydroelectric Project (FERC 8296) due to drought conditions. Article 402 of the FERC License (FERC 8296) states:

The licensee shall discharge from the Muck Valley Hydroelectric Project a continuous minimum flow of 50 cubic feet per second, as measured immediately downstream from the project diversion structure, or shall discharge the inflow to the diversion pool, whichever is less, for the protection of fish and wildlife resources in the Pit River. This flow may be temporarily modified if required by operating emergencies beyond the control of the licensee and for short periods upon mutual agreement between the licensee and the California Department of Fish and Game.

We are requesting temporary modification to our minimum flow from the prescribed 50 cfs to 25 cfs. The FERC issued a letter to California licensee's on February 6th, 2014 (Attachment 1) encouraging water conservation measures. In addition, the letter stated if licenses contained temporary deviation provisions that licensees may begin implementing water conservation measures immediately upon reaching agreement with the specified agencies. Therefore, as our license includes such a provision above, we will notify FERC of a CDFW approval immediately upon receipt, but will not seek additional approval.

California Department of Fish and Game has approved such a request in 1991, issuing a temporary approval of the 50 cfs flow to 25 cfs (Attachment 2). We are proposing the same operational conditions as provided in the letter dated February 27, 1991 (Attachment 3). In summary these include:

- 1) Divert Pit River flows above 25cfs into Collette Reservoir.
- 2) When flows drop below 25cfs at the diversion, release Collett stored water at a 1cfs of stored water for 1 cfs of natural flow. This would provide a continuous 25cfs in the Pit River below the powerhouse as long as there is available storage in Collett reservoir.
- 3) The 1cfs to 1cfs flow would continue until there is no longer stored water in Collett reservoir.

- 4) Fishery conditions have not changed since the original issuance of the FERC license. There are no Endangered Species Act listed species, nor California listed species. This stretch of the Pit River is subjected to extreme fluctuations from upstream irrigation projects and natural flashy conditions that often render it with little to no river flow.

Additional conditions:

- 5) Flow measurement would be done from the powerhouse discharge tables. (note, this compliance point varies from the 1991 proposal, as this source is determined more reliable.)
- 6) Temperature would be monitored below the afterbay discharge daily, and logged at the powerhouse.

Other Regulatory Approvals and Interested Parties:

CA Water Board and Water Resources: Temporary flow reduction will require a waiver in our direct diversion permit (20063). We are working with the State Water Resources and Water Quality Control Board agencies to obtain the necessary approvals. Diversions will not occur until such approvals are received. These approvals will be emailed to you upon receipt.

Pacific Gas and Electric: We have coordinated this operational proposal within PG&E, and upon initial review they are not opposed, but need to have additional departments provide their concurrence. We will provide you with PG&E's concurrence via email upon receipt.

I am departing on vacation beginning Thursday, March 27, 2014. If you have any questions and/or your response to this request is available by end of business, Wednesday March 26th, please direct it to Diane.Barr@brookfieldrenewable.com 661-754-6808. If after March 26th, please direct to Brandon Lismanis at Brandon.Lismanis@brookfieldrenewable.com at 819-561-2722x6680. Any formal written correspondence should be directed to the address in the letterhead.

Regards,



Diane Barr
Compliance Manager

(e)cc: Bill Bunker/PG&E
Kevin Richards/PG&E

Attachments:

1. FERC Letter to Licensee's, 2014
2. CDFG Letter to Malacha Hydro Limited Partnership, 1991
3. Malacha Hydro Limited Partnership Letter to CDFW, 1991