



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

To: Interested Parties

NOTICE OF PETITIONS FOR RECONSIDERATION OF WATER QUALITY CERTIFICATION FOR EAGLE MOUNTAIN PUMPED STORAGE PROJECT, FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 13123

NOTICE IS HEREBY GIVEN THAT the State Water Resources Control Board (State Water Board) has received timely petitions for reconsideration (Petitions) of its water quality certification for the Eagle Mountain Pumped Storage Project (Project) from the following parties (collectively Petitioners):

- (1) Gary Cruz, Hildeberto Sanchez, Ralph Figueroa, and Laborers International Union of North America, Local Union 1184 – represented by Michael Lozeau and Richard Drury of Lozeau Drury LLP;
- (2) Kaiser Eagle Mountain, LLC – represented by Tracy Egoscue and Tarren Lopez of Egoscue Law Group; and
- (3) National Parks Conservation Association and San Bernardino Valley Audubon Society – represented by Deborah Sivas and Alicia Thesing of the Stanford Law School Environmental Law Clinic.

The Petitions were filed pursuant to California Code of Regulations, title 23, section 3867.

BACKGROUND

On July 15, 2013, the State Water Board's Executive Director issued a water quality certification (certification) pursuant to section 401 of the Clean Water Act (33 U.S.C. § 1341) and certified the final Environmental Impact Report (EIR) for the Project. The Project is undergoing licensing before the Federal Energy Regulatory Commission. Within 30 days of certification issuance, the State Water Board received three Petitions. Details on the reconsideration requests can be found in the Petitions, which are available on the State Water Board's Project website as described below.

AVAILABILITY OF DOCUMENTS

The certification, final EIR, and Petitions can be found on the State Water Board's Project website at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/eaglemtn_ferc13123.shtml

These documents are also available for inspection by the general public at the State Water Board's Division of Water Rights File Room, which is located at 1001 I Street, 2nd Floor, Sacramento, CA 95814.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov

The prepared staff record shall be filed with the State Water Board within 20 days of the date of mailing of this notice. (Cal. Code Regs., tit. 23, §§ 3867, subd. (d)(9); 3867.1.)

SUBMISSION OF COMMENTS

Any party or person wishing to file a response to any of the Petitions with the State Water Board shall have 20 days from the date of mailing of this notice to do so.

(Cal. Code Regs., tit. 23, § 3867.1.) Responses to the Petitions should be submitted to the State Water Board, as directed below. Copies of responses should also be submitted to the Executive Officer of the Colorado River Basin Regional Water Quality Control Board, Petitioners, and Project Applicant at the following addresses:

Mr. Robert E. Perdue, Executive Officer
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73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

Ms. Tracy J. Egoscue
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Eagle Crest Energy Company
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Santa Monica, CA 90405

The State Water Board copy may be sent electronically to: Oscar.Biondi@waterboards.ca.gov or hard copies can be mailed to:

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

In an effort to reduce reliance on paper mailings, information on the Project will be provided by email. To receive these emails, please go to the State Water Board's Email List Subscription webpage located at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml
and select the box titled "Water Rights Water Quality Certifications."

If you have questions regarding this notice, please contact Carlos Mejia, Staff Counsel at (916) 341-5184 or by email at Carlos.Mejia@waterboards.ca.gov.


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9/11/13
Date

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