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GOVERNOR

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SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

To: Interested Parties Mailing List

### **NOTICE OF AVAILABILITY FOR PUBLIC COMMENT OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WATER QUALITY CERTIFICATION OF PACIFIC GAS AND ELECTRIC COMPANY'S UPPER NORTH FORK FEATHER RIVER HYDROELECTRIC PROJECT FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 2105**

Pursuant to section 401 of the Clean Water Act (33 U.S.C. § 1341), applicants for a federal license or permit for activities which may result in any discharge to waters of the United States must obtain water quality certification (certification) from the state or Indian Tribe with jurisdiction. Such certification must be based on a finding that the activity will meet water quality standards and other applicable requirements. In California, the State Water Resources Control Board (State Water Board) is responsible for taking action on applications for water quality certification for proposed activities that require a Federal Energy Regulatory Commission (FERC) license or amendment to a FERC license.

Pacific Gas and Electric Company (PG&E) is requesting a Clean Water Act section 401 certification for the FERC relicensing of the Upper North Fork Feather River Hydroelectric Project (UNFFR Project) from the State Water Board. The State Water Board must comply with the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 et seq.) when issuing a 401 certification.

The State Water Board, as lead agency for CEQA compliance, has directed the preparation of an environmental impact report (EIR) for the UNFFR Project, in compliance with State CEQA Guidelines.

The following information is provided in satisfaction of the formal written notice requirements for the public review of a draft EIR (CEQA Guidelines, § 15087).

**Applicant:** Pacific Gas and Electric Company

**Project Name:** Upper North Fork Feather River Hydroelectric Project

**Date of Certification**

**Application:** March 28, 2014

**Affected County:** Plumas

**Existing Hydroelectric Project Description:**

The UNFFR Project is located in the upper reaches of the North Fork Feather River watershed, upstream of Lake Oroville, in Plumas County, California. The UNFFR Project was originally licensed by FERC in 1955 (FERC Project No. 2105). The UNFFR Project includes: three reservoirs with dams

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(Lake Almanor, Butt Valley reservoir and Belden forebay); five powerhouses; tunnels and penstocks connecting the reservoirs to the powerhouses; transmission facilities; access facilities; and associated operation/maintenance. The five powerhouses include eight hydroelectric generating units with a total nameplate capacity of 362.3 megawatts (MW).

Lake Almanor is the furthest upstream reservoir on the North Fork Feather River within the UNFFR Project boundary and has the largest usable storage capacity (1,134,016 acre-feet). Lake Almanor is impounded by Canyon dam, an earth-filled structure that is 135 feet high by 1,400 feet wide at its base and 1,250 feet long across its crest. Canyon dam has an outlet tower with multiple outlets that deliver water to a tunnel capable of releasing up to 2,100 cubic feet per second (cfs) to the North Fork Feather River (Seneca reach). Water is also diverted from Lake Almanor through the Prattville intake, which conveys flow to the Butt Valley powerhouse.

Butt Valley reservoir is south of Lake Almanor on Butt Creek, a tributary to the North Fork Feather River. In addition to inflow from Butt Creek, Butt Valley reservoir receives flow from Lake Almanor through the Butt Valley powerhouse or, in some circumstances, via the bypass valve at the downstream portal of the Prattville tunnel, upstream of Butt Valley powerhouse. Butt Valley reservoir is impounded by Butt Valley dam, an earth-filled structure that is 74 feet high by 850 feet wide at its base and 1,350 feet long across its crest. Butt Valley reservoir has a usable storage capacity of 49,897 acre-feet. Water is diverted from Butt Valley reservoir via the Caribou No. 1 and No. 2 intakes.

Belden forebay is located on the North Fork Feather River downstream of Lake Almanor and below Butt Valley reservoir. In addition to flow from the Seneca reach of the North Fork Feather River, Belden forebay receives flow from the Caribou No. 1 and No. 2 powerhouses. Belden forebay is impounded by Belden forebay dam, a rock-filled structure that is 152 feet high by 630 feet wide at its base and 500 feet long across its crest. Belden forebay has a usable storage capacity of 2,421 acre-feet. Water is released from Belden forebay into the North Fork Feather River via the Oak Flat powerhouse or is diverted to the Belden powerhouse via the Belden tunnel and penstock.

In addition to power generation, the UNFFR Project provides a range of recreational facilities, including campgrounds, marinas, and day-use areas. Lake Almanor and Butt Valley reservoir provide a variety of recreational opportunities, including contact and non-contact water-based recreation. Lake Almanor is also considered to be a trophy trout fishery and the lake is a major driver of tourism in the summer months.

### **Regulatory Background:**

When the State Water Board considers issuing a certification for a project, it evaluates whether the project will comply with the applicable water quality control plan (basin plan) and whether the beneficial uses of the applicable water bodies will be protected. The Regional Water Quality Control Boards (Regional Water Boards) prepare basin plans that designate the beneficial uses of waters to be protected and establish the water quality objectives necessary to protect those uses, as required under Section 303 of the Clean Water Act (33 U.S.C. § 1313) and sections 13240 and 13241 of the California Water Code. When establishing water quality objectives, the Regional Water Boards consider: the past, present, and future beneficial uses of the water bodies; their environmental characteristics; economics; and water quality conditions that could be reasonably achieved through the coordinated control of the factors affecting water quality.

In 2006, the United States Environmental Protection Agency (USEPA) listed the North Fork Feather River upstream of Lake Oroville as a water quality limited segment under Section 303(d) of the Clean Water Act. The listing was based on the State Water Board's determination that elevated water temperatures are impairing the cold freshwater habitat beneficial use of the North Fork Feather River.

The State Water Board cited hydromodification and flow regulation as potential sources of the impairment ([State Water Board Resolution No. 2006-0079](#)).

With respect to temperature, the State Water Board's determination of whether, and under what conditions, to issue a certification for the future operation of the UNFFR Project will entail consideration of the extent to which UNFFR Project operations increase temperatures in the North Fork Feather River, whether UNFFR Project operations are consistent with the water quality objectives for temperature set forth in the [Water Quality Control Plan for the Sacramento and San Joaquin River Basins](#) (Basin Plan) (Central Valley Regional Water Quality Control Board 2011), and the extent to which PG&E can feasibly reduce temperatures in the Upper North Fork Feather River by implementing reasonable temperature control measures. The State Water Board must also ensure that UNFFR Project operations, including any water quality measures designed to benefit the Upper North Fork Feather River, will not unreasonably affect the water quality and beneficial uses of Lake Almanor.

### **Overview of Draft EIR and Proposed Project:**

The draft EIR evaluates the Proposed UNFFR Project as well as two alternatives. For purposes of the CEQA analysis, the Proposed UNFFR Project consists of operation of the UNFFR Project under a new FERC license in accordance with PG&E's application to FERC, a partial settlement agreement<sup>1</sup> between PG&E and numerous stakeholders, conditions proposed by the National Marine Fisheries Service pursuant to section 18 of the Federal Power Act, conditions proposed by the United States Forest Service pursuant to section 4(e) of the Federal Power Act, and FERC's Staff Alternative as outlined in Chapter 3 of the draft EIR. Alternatives 1 and 2 are described in detail in Chapter 4 of the draft EIR. Generally, both Alternatives 1 and 2 involve: construction of thermal curtains at the Prattville and Caribou intakes; and the activities outlined in the Proposed UNFFR Project with alternative minimum flow releases from Canyon Dam to the Seneca and Belden reaches of the North Fork Feather River. Alternative 1 also includes increased releases from the low level outlet at Canyon dam from June 15 to September 15.

The draft EIR identifies potentially significant impacts for the following resources:

- Aesthetics
- Air Quality
- Cultural Resources
- Fisheries
- Geology, Geomorphology, and Soils
- Hazards and Hazardous Materials
- Land Use and Mineral Resources
- Noise
- Recreation
- Transportation and Traffic
- Vegetation, Wildlife, and Sensitive Biological Resources
- Water Quality

All potentially significant impacts can be reduced to a less than significant level with implementation of mitigation measures, except for the Aesthetics resource area, which is identified as significant and unavoidable.

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<sup>1</sup> Project 2105 Relicensing Settlement Agreement. Available online at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/docs/unffr\\_ferc2105/unffr\\_relicensing\\_settlement.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/docs/unffr_ferc2105/unffr_relicensing_settlement.pdf) (Last visited April 16, 2014).

**State Water Board Staff Recommendation:**

In accordance with the Clean Water Act, the State Water Board staff recommendation is designed to ensure the UNFFR Project will protect water quality and beneficial uses through the term of the new FERC license and any amendments thereto. State Water Board staff developed a preliminary recommendation comprised of the following:

- implementation of the Proposed UNFFR Project with the alternative minimum flows, as outlined in Chapter 4 of the draft EIR;
- increased releases of up to 250 cfs for purposes of temperature control from the low level outlet at Canyon dam from June 15 to September 15;
- monitoring of the Upper North Fork Feather River and Lake Almanor to evaluate temperatures and fisheries effects resulting from implementation of the Proposed UNFFR Project with increased Canyon dam flows; and
- adaptive management and a reservation of authority, whereby the State Water Board could require installation of thermal curtains at Lake Almanor and Butt Valley reservoir based on monitoring results, if appropriate.

In developing a recommendation, State Water Board staff considered the draft EIR and all supporting information. This includes, but is not limited to: FERC's Final *Environmental Impact Statement for the Upper North Fork Feather River Project*, PG&E's application for certification; studies; reports; meeting notes; and stakeholder comments. Throughout the FERC relicensing process, State Water Board staff heard concerns from stakeholders related to potential impacts associated with use of thermal curtains. State Water Board staff believes that adaptive management coupled with the ongoing relicensing efforts of the Poe Hydroelectric Project (FERC Project No. 2107) and the Bucks Creek Hydroelectric Project (FERC Project No. 619) will provide opportunities to further evaluate temperature in the North Fork Feather River.

**Public Review Period:**

The State Water Board is aware that there is a lot of interest in the UNFFR Project and encourages interested parties to provide comments on the draft EIR and State Water Board staff's preliminary recommendation. On August 13, 2013, Plumas County submitted a letter requesting a 120-day review period for the draft EIR. In response, the State Water Board will consider all comments submitted **by noon (12:00 pm) on Thursday, March 26, 2015**. Comments should be submitted to Mr. Peter Barnes as follows:

*Peter Barnes, Engineering Geologist*  
State Water Resources Control Board  
Division of Water Rights  
Water Quality Certification Program  
P.O. Box 2000  
Sacramento, CA 95812-2000

or

Email: [Peter.Barnes@waterboards.ca.gov](mailto:Peter.Barnes@waterboards.ca.gov)

The draft EIR may be obtained, or reviewed during normal business hours, by contacting Mr. Peter Barnes at (916) 445-9989 or Peter.Barnes@waterboards.ca.gov, or by visiting the State Water Board website at:  
[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/unffr\\_ferc2105.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/unffr_ferc2105.shtml)

The draft EIR will be available for review no later than December 5, 2014, at the following locations:

State Water Resources Control Board  
1001 I Street, 2<sup>nd</sup> Floor, Room 2-114  
Sacramento, CA 95814  
(916) 341-5300

Plumas County Library–Chester  
210 First Street  
Chester, CA 96020  
(530) 258-2742

Central Valley Regional Water Quality  
Control Board, Redding  
364 Knollcrest Drive, Suite 2015  
Redding, CA 96002  
(530) 224-4845

Plumas County Library–Greenville  
204 Ann Street  
Greenville, CA 95947  
(530) 284-7416

Plumas County Library–Quincy  
445 Jackson  
Quincy, CA 95971  
(530) 283-6310

Butte County Library–Chico  
1108 Sherman Avenue  
Chico, CA 95926  
(530) 891-2762

Central Valley Regional Water  
Quality Control Board, Sacramento  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670-6114  
(916) 464-3291

**KEEP INFORMED OF PROJECT MILESTONES**

To receive emails related to the UNFFR Project and other projects pursuing certifications managed by the Division of Water Rights, interested persons should enroll in the “Water Rights Water Quality Certification” e-mail notification service. Click the SUBSCRIBE button at the bottom of the Division of Water Rights’ Water Quality Certification Program webpage at:  
[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/)

By enrolling in this email list, you will receive notices for all current projects in the Division of Water Rights’ Water Quality Certification Program, including the UNFFR Project. You will need a valid email address to use this service. If you do not have internet access or do not wish to participate in the email subscription list, you may contact Mr. Peter Barnes, Project Manager, at (916) 445-9989 and request to receive notices by mail. You can enroll or un-enroll from the email subscription service at any time.

Sincerely,



Erin Ragazzi, Manager  
Water Quality Certification Program  
Division of Water Rights

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Date