State Water Resources Control Board

NOTICE OF PREPARATION AND SCOPING MEETINGS FOR A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE MCCLOUD-PIT HYDROELECTRIC PROJECT FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 2106

To: Interested Parties Mailing List and Office of Planning and Research

Notice is hereby given that the State Water Resources Control Board (State Water Board) plans to prepare a subsequent environmental impact report for the McCloud-Pit Hydroelectric Project.

Applicant: Pacific Gas and Electric Company

Project Name: McCloud-Pit Hydroelectric Project

Project Location: McCloud River, Pit River, and Iron Canyon Creek in Shasta and Siskiyou Counties, California, near the city of McCloud (see Figure 1).

Overview

Pursuant to the California Environmental Quality Act (CEQA)[1], the State Water Board plans to prepare a subsequent environmental impact report (EIR) for Pacific Gas and Electric Company's (PG&E) McCloud-Pit Hydroelectric Project (Project; Federal Energy Regulatory Commission [FERC] Project No. 2106). On November 8, 2019, the State Water Board issued the Initial Study/Negative Declaration (IS/ND) and water quality certification (certification) for the Project. The Project is not changing. Instead, new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the IS/ND was adopted, warrants preparation of a subsequent EIR to assess the Project's effects in light of the new information. (Cal. Code Regs., tit. 14, § 15162(b).) More specifically, additional information regarding tribal cultural resources, which could not be developed prior to the adoption of the IS/ND due to the strict deadlines associated with issuing Section 401 water quality certifications, is now available to the State Water Board. The subsequent EIR will consider this new information in reviewing the potential impacts of the Project and measures for mitigation of impacts determined to be significant.

The primary focus of the subsequent EIR will be the tribal cultural resources analysis, but potential impacts to other resource areas will also be considered. While the IS/ND remains relevant and provides informational value regarding the environmental effects

[1] Public Resources Code sections 21000 et seq.

of the Project, preparation of a subsequent EIR will ensure that the new information is addressed through the CEQA process.

The State Water Board is seeking comments from trustee agencies, responsible agencies, tribes, and interested persons concerning the scope and content of the environmental information to be included in the subsequent EIR. Please send your comments to Ms. Savannah Downey, Project Manager, at the address shown in the Submittal of Written Comments section below.

Project Description

The Project is a hydroelectric project that is owned and operated by PG&E. The Project generates 364 megawatts (MW). The Project transfers water from the McCloud River basin to the lower Pit River basin. Water generally moves though the Project to Shasta Lake (or Lake Shasta) as follows:

- Water moves from McCloud Reservoir on the McCloud River to Iron Canyon Reservoir on Iron Canyon Creek, a tributary to the Pit River, via the McCloud Tunnel.
- Water from Iron Canyon Reservoir moves via the Iron Canyon Tunnel to the James B. Black Powerhouse, located on the Pit River just upstream of PG&E's Pit 3, 4, 5 Hydroelectric Project (FERC Project No. 233) Pit 5 Powerhouse, where it moves through the Pit 6 and Pit 7 Powerhouses and enters Shasta Lake.

The Project is comprised of three developments (James B. Black, Pit 6, and Pit 7) that include three powerhouses, five dams and reservoirs, and five recreation facilities, which are described in further detail below.

James B. Black Development

The James B. Black Development diverts water from the McCloud River at McCloud Reservoir via the McCloud Tunnel and releases it into Iron Canyon Reservoir. Water is then transferred from Iron Canyon Reservoir, via the Iron Canyon Tunnel and penstock, to the James B. Black Powerhouse on the Pit River, approximately 0.5 miles upstream of the Pit 5 Powerhouse (part of PG&E's Pit 3, 4, 5 Hydroelectric Project).

The main facilities associated with James B. Black Development are:

- McCloud Dam and Reservoir: McCloud Dam is a 241-foot (ft)-high, 630-ft-long earth- and rock-filled dam that impounds McCloud Reservoir on the McCloud River. McCloud Reservoir has a surface area of 520 acres and a maximum storage capacity of approximately 31,197 acre-feet (ac-ft).
- Iron Canyon Dam and Reservoir: Iron Canyon Dam is a 214-ft-high, 1,130-ft-long earth-filled dam that impounds Iron Canyon Reservoir. Iron Canyon Reservoir has a maximum storage capacity of 24,241 ac-ft with a surface area of approximately 500 acres.
- James B. Black Powerhouse: James B. Black Powerhouse is located on the northwest bank of the Pit River, approximately 0.5 miles upstream of the Pit 5 Powerhouse (part of PG&E's Pit 3, 4, 5 Hydroelectric Project). The James B. Black Powerhouse has a combined maximum capacity 172 MW.

- Recreation Facilities: PG&E plans to reconstruct existing recreation facilities, which include: (1) Tarantula Gulch Boat Launch and Day Use Area at McCloud Reservoir; (2) Hawkins Landing Campground at Iron Canyon Reservoir; (3) Hawkins Boat Launch at Iron Canyon Reservoir; and (4) Deadlun Campground at Iron Canyon Reservoir. Additionally, PG&E plans to construct new recreation facilities, including river access areas, day use areas, campgrounds, and boat launches.

Pit 6 Development

The Pit 6 Development diverts water from the Pit River at Pit 6 Reservoir through the Pit 6 Powerhouse. The main facilities associated with the Pit 6 Development are:

- Pit 6 Dam and Reservoir: Pit 6 Dam and Reservoir are located on the Pit River downstream of James B. Black Powerhouse. The Pit 6 Dam is a 183-ft-high, 560-ft-long concrete dam with a crest elevation of 1,432 ft. Pit 6 Reservoir has a maximum storage capacity of approximately 15,619 ac-ft and a maximum surface area of approximately 265 acres. The Pit 6 Reservoir serves as the forebay for the Pit 6 Powerhouse.
- Pit 6 Powerhouse: Pit 6 Powerhouse is located along the east bank of the Pit River at the base of Pit 6 Dam. The Pit 6 Powerhouse has a combined maximum capacity of 80 MW.

Pit 7 Development

The Pit 7 Development produces power by moving water in the Pit River from the Pit 7 Reservoir through the Pit 7 Powerhouse. The main facilities associated with the Pit 7 Development are:

- Pit 7 Dam and Reservoir: Pit 7 Dam and Reservoir are located on the Pit River downstream of Pit 6 Powerhouse. Pit 7 Dam is a 228-ft-high, 770-ft-long concrete gravity dam. Pit 7 Reservoir has a maximum storage capacity of 34,142 ac-ft and a surface area of approximately 468 acres.
- Pit 7 Powerhouse: Pit 7 Powerhouse is located along the east bank of the Pit River at the base of Pit 7 Dam. The Pit 7 Powerhouse has a maximum combined capacity of 112 MW.
- Pit 7 Afterbay Dam: Pit 7 Afterbay Dam is a 30-ft-high steel-reinforced, rock-fill structure with a variable-width concrete gravity weir section. Pit 7 Afterbay has a surface area of approximately 69 acres at a normal maximum water surface elevation of 1,067 ft (i.e., the maximum water surface of Shasta Lake). The purpose of the Pit 7 Afterbay is to attenuate changes in flow from the Pit 7 Powerhouse before flow enters Shasta Lake.

- Recreation Facilities: PG&E plans to reconstruct the Fenders Flat Day Use Area, located below Pit 7 Afterbay. Additionally, PG&E plans to construct the following recreation facilities: (1) two Upper Pit 7 Reservoir Trailheads; and (2) Lower Pit 7 Reservoir Shoreline Access Site.

Protection, Mitigation, and Enhancement Measures
In addition to the new recreation facilities described above, the Project includes new protection, mitigation, and enhancement measures to benefit aquatic biological resources and their habitats. Measures related to water resources include:

- Increased minimum instream flows;
- Water quality and biological resource monitoring and management;
- Large woody debris management;
- Sediment and erosion management; and
- Gravel augmentation.

Scoping Meetings
The State Water Board will hold scoping meetings to provide information about the Project, the CEQA process, and to receive written or oral comments from trustee agencies, responsible agencies, tribes, and other interested persons concerning the range of alternatives, potential significant effects, and mitigation measures that should be analyzed in the subsequent EIR. The time allotted for each individual or organization to provide oral comments may be limited if the number of people in attendance so requires. The scoping meetings will be documented by transcript.

The scoping meetings will be held virtually via Zoom as follows:

Monday, March 21, 2022
from 11:00 a.m. – 1:00 p.m.
https://waterboards.zoom.us/j/95320266717?pwd=Ry9UMGFnV1EzWDJIMTFFQjlYVmg4dz09
Call-in number: (669) 900-9128
Meeting ID: 953 2026 6717
Passcode: 875966

Monday, March 21, 2022
from 5:30 – 7:30 p.m.
https://waterboards.zoom.us/j/97466733576?pwd=N2EwMGM2a2oxSnZjMHZiYXhRSkRKUT09
Call-in number: (669) 900-9128
Meeting ID: 974 6673 3576
Passcode: 079482

If you have additional questions concerning these meetings or would like to make a request for reasonable accommodations for a disability, please contact Savannah Downey, Project Manager, by email to: **savannah.downey@waterboards.ca.gov**.

Submittal of Written Comments

The State Water Board is seeking comments from trustee agencies, responsible agencies, tribes, and interested persons concerning the scope and content of the environmental information to be included in the subsequent EIR. Please provide the name and contact information for a person that may be contacted if there are questions about the comments. **The comment deadline is 5:00 pm on Monday, April 11, 2022.** Please send your comments to Savannah Downey, Project Manager, at:

Email (preferred):
WR401Program@waterboards.ca.gov

or

Mail:
Ms. Savannah Downey
State Water Resources Control Board
Division of Water Rights – Water Quality Certification Program
P.O. Box 2000
Sacramento, CA 95812-2000

State Water Board's Water Quality Certification

Section 401 of the Clean Water Act (33 U.S.C. § 1341) requires every applicant for a federal license or permit that may result in a discharge into navigable waters to provide the federal licensing or permitting agency with certification that the project will be in compliance with state water quality standards and other relevant requirements of state law. Section 401 provides that conditions of certification shall become conditions of any federal license or permit for the project. The State Water Board is the agency in California that is responsible for issuing section 401 certifications for hydroelectric facilities licensed by FERC (Wat. Code, § 13160; Cal. Code Regs., tit. 23, § 3855, subd. (b)).

When the State Water Board considers issuing a water quality certification for a project, it evaluates whether the project will comply with applicable water quality standards and other requirements of state law and determines conditions necessary to protect water quality. In California, water quality standards are established in regional water quality control plans and state water quality control plans or policies. Water quality control plans 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.

The State Water Board may issue a certification if it determines that the project will comply with specified provisions of the Clean Water Act, including water quality standards and implementation plans, and other requirements of state law. The State Water Board must determine whether the Project adequately protects the beneficial uses and meets the water quality objectives for waterbodies in the Project area. Pertinent beneficial uses and water quality objects are listed in the Central Valley Regional Water Quality Control Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (Basin Plan). Additional information concerning the Basin Plan and designated beneficial uses are available at the **Central Valley**

Regional Water Quality Control Board's basin planning webpage (http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml).

The State Water Board issued the certification for the Project on November 8, 2019. The certification conditions ensure that the Project will protect water quality and beneficial uses in the Project area, and include requirements for minimum instream flows, ramping rates, biological resource and water quality monitoring, large woody material management, erosion and sediment management, gravel augmentation, and whitewater recreation. The Winnemem Wintu Tribe and PG&E both submitted petitions for reconsideration of the Project certification to the State Water Board. Those petitions will remain pending during the subsequent EIR process.

CEQA Information

The State Water Board released the IS/ND for the Project on November 8, 2019. The IS/ND disclosed and analyzed environmental impacts resulting from the Project as compared to the environmental baseline. No significant impacts were identified and, as such, no mitigation measures were required.

On March 5, 2020, the Winnemem Wintu Tribe filed a petition for writ of mandate and complaint for declaratory and injunctive relief against the State Water Board regarding the Project IS/ND. The Winnemem Wintu Tribe asserts that the State Water Board did not comply with CEQA's requirements with respect to the IS/ND, including by failing to properly disclose impacts to tribal cultural resources. The Winnemem Wintu Tribe also states that the tribal cultural resources study conducted as part of the Project's FERC relicensing process was never completed. For this reason, the State Water Board did not have access to information regarding the Winnemem Wintu Tribe's cultural resources that may be impacted by the Project.

In response to the petitions for reconsideration noted above, the Executive Director of the State Water Board issued an interim order (**Order WQ 2020-0041-EXEC**) directing Board staff to reinitiate CEQA consultation with the California Native American Tribes affiliated with the geographic area of the Project for the purpose of determining whether additional CEQA work is necessary. The Winnemem Wintu Tribe requested consultation. The consultation meetings have resulted in the development of updated tribal cultural resources information.

The State Water Board recognizes the results of the completed tribal cultural resources study will provide new information of substantial importance that may result in identification of significant impacts that were not discussed in the IS/ND. Accordingly, the State Water Board is initiating preparation of a subsequent EIR, pursuant to CEQA Guidelines section 15162(b), to analyze impacts to tribal cultural resources and other resource areas as appropriate.

Environmental Factors Potentially Affected

Environmental factors potentially affected by the Project include Tribal Cultural Resources, though other factors will also be considered during the CEQA review process.

KEEP INFORMED OF PROPOSED PROJECT MILESTONES

To receive emails related to the McCloud-Pit Hydroelectric 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. Instructions on how to sign up for the State Water Board's Email Subscription List are outlined below:

1. Visit the State Water Board's **Email Subscription webpage** (https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html)
2. Provide your name and email in the required fields.
3. In the categories below the email and name fields, select "Water Rights," then "Water Rights Water Quality Certification".
4. Click the "Subscribe" button.
5. An email will be sent to you. You must respond to the email message to confirm your membership on the selected list(s).

By enrolling in this email list, you will receive notices for other current projects in the Division of Water Rights' Water Quality Certification Program, including the McCloud-Pit Hydroelectric Project. If you do not have internet access or do not wish to participate in the email subscription list, you may contact Ms. Savannah Downey by phone at (916) 322-1585 and leave a message to request to receive notices by mail. You can enroll or un-enroll from the email subscription service at any time.

Questions and Additional Information

If you have questions regarding this notice the best means of contact is by email. General questions regarding the water quality certification and CEQA process for the Project should be directed to Savannah Downey, Project Manager, by email at: **savannah.downey@waterboards.ca.gov**.

Additional information regarding the Project is available on the **State Water Board's Project webpage**[2].

Sincerely,

Erin Ragazzi
Digitally signed by Erin Ragazzi
Date: 2022.03.10 06:40:02 -08'00'
Water Boards

_____ March 10, 2022

Erin Ragazzi
Assistant Deputy Director
Division of Water Rights

Date

[2] https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/mccloudpit_ferc2106.html

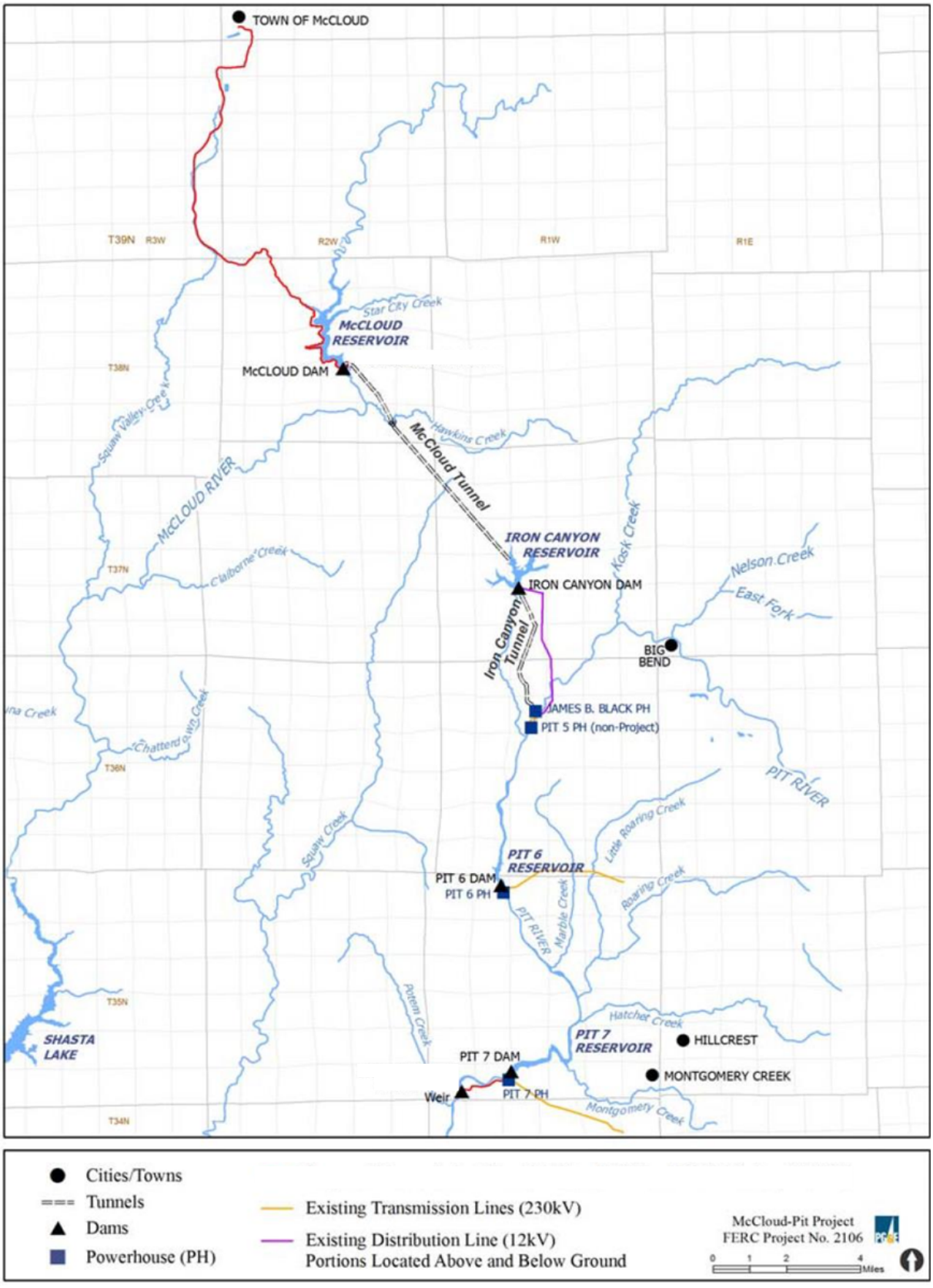

Figure 1. Project Location Map