



Ca/EPA

State Water
Resources
Control Board

901 P Street
Sacramento, CA
95814
(916) 657-1951
FAX (916) 657-1485



Pete Wilson
Governor

MAY 27 1997

Mr. Loren Loo
Pacific Gas and Electric Company
Mail Code N10A
P.O. Box 770000
San Francisco, CA 94177

Dear Mr. Loo:

REQUEST FOR SECTION 401 WATER QUALITY CERTIFICATION FOR THE
PACIFIC GAS AND ELECTRIC COMPANY'S (PG&E) TIGER CREEK
POWERHOUSE--MOKELUMNE RIVER HYDROELECTRIC POWER PROJECT--
FEDERAL ENERGY REGULATORY COMMISSION (FERC) PROJECT NO. 137

On July 27, 1976, the Regional Water Quality Control Board,
Central Valley Region (RWQCB) issued a water quality
certification for FERC Project No. 137. On April 4, 1983
and after amendment to the certification request, the RWQCB
determined that no new certification was required for the
amended project. On April 2, 1997, the RWQCB received
PG&E's request for Section 401 water quality certification
or waiver for proposed repair and replacement of storm
damaged facilities at Tiger Creek Hydroelectric Powerhouse
and Service Center, which are part of the Mokelumne River
Hydroelectric Power Project.

The State Water Resources Control Board (SWRCB) has
determined that it is appropriate to issue Clean Water Act
Section 401 certification for this project. A copy of the
certification is enclosed.

If we can be of further assistance, the SWRCB's Section 401
Coordinators can be contacted at the following telephone
numbers: Ms. Katherine Mrowka at (916) 657-1951, or
Mr. Jim Canaday at (916) 657-2208.

Sincerely,

ORIGINAL SIGNED BY:

Walt Pettit
Executive Director

(all with enclosure)

cc: Mr. Fred Springer
Director of Hydropower Licensing
Federal Energy Regulatory Commission
825 North Capitol Street, NE
Washington, DC 20406



*Our mission is to preserve and enhance the quality of California's water resources, and
ensure their proper allocation and efficient use for the benefit of present and future generations.*

Mr. Loren Loo

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MAY 27 1997

Mr. Gary M. Carlton, Executive Officer
Regional Water Quality Control Board,
Central Valley Region
3443 Routier Road, Suite A
Sacramento, CA 95827-3098

Ms. Jean McCue
Regional Water Quality Control Board,
Central Valley Region
3443 Routier Road, Suite A
Sacramento, CA 95827-3098

Sacramento District Regulatory Branch
Department of the Army
Corps of Engineers
1325 J Street
Sacramento, CA 95814

Mr. Mike Ammon
Boating Safety Administrator
Department of Boating and Waterways
1629 S Street
Sacramento, CA 95814-7291

Mr. Paul Forsberg
Department of Fish and Game
1416 Ninth Street
Sacramento, CA 95812

Mr. Jim Edmondson
California Trout
870 Market Street, Suite 859
San Francisco, CA 94102

Mr. Richard Roos-Collins
Natural Heritage Institute
114 Sansome Street, Suite 1200
San Francisco, CA 94104

Enclosure

bcc: Andy Sawyer
Barbara Leidigh
Ed Anton
Jerry Johns
Mike Falkenstein
✓ Jim Canaday

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

PACIFIC GAS AND ELECTRIC) SOURCES: Tiger Creek, Deer Creek,
COMPANY) West and East Panther
Applicant) Creeks, North Fork
) Mokelumne River,
) Mokelumne River,
) Beaver Creek, Bear River,
) Cole Creek, Deer Creek,
) and Blue Creek
Hydroelectric Project,)
FERC No. 137) COUNTY: Amador, Calaveras, Alpine
)
)

WATER QUALITY CERTIFICATION FOR FEDERAL PERMIT OR LICENSE

BY THE EXECUTIVE DIRECTOR:

1. The Pacific Gas and Electric Company (PG&E) has applied to the U.S. Army Corps of Engineers (Corps) for authorization to repair and replace facilities at Tiger Creek Hydroelectric Powerhouse and Service Center, a project facility of the Mokelumne River Hydroelectric Project. PG&E is seeking authorization from the Corps to perform work in the waterway pursuant to Corps Nationwide Permit N3. PG&E has applied to the State Water Resources Control Board (SWRCB) for Water Quality Certification under section 401 of the Clean Water Act (33 USC §1344).
2. PG&E requires a license from the Federal Energy Regulatory Commission (FERC) under the Federal Power Act (16 USC §791(a)) to operate the existing major hydroelectric power project. The long-term FERC license for this facility expired in 1972, and a new long-term license has not yet been issued. For the past 25 years, PG&E has operated the project on an interim basis under annual FERC licenses.
3. The Federal Clean Water Act (33 USC §1251) was enacted "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters" (33 USC §1251(a)). Section 101(g) (33 USC §1251(g)) requires federal agencies to "cooperate with state and local agencies to develop comprehensive solutions to prevent, reduce and eliminate pollution in concert with programs for managing water resources". Section 401 (33 USC §1341) requires every applicant for a federal license or permit to provide the responsible federal agency with certification that the project will be in compliance with specified provisions of the Clean Water Act, including section 303 ("Water Quality Standards and Implementation Plans", 33 USC §1313); directs the state agency responsible for certification to prescribe effluent limitations and other limitations necessary to

ensure compliance with the Clean Water Act and with any other appropriate requirement of state law; and provides that state certification conditions shall become conditions of any federal license or permit for the project.

4. The SWRCB is the agency responsible for water quality certification in California (section 13160 of the California Water Code); and has delegated this function to the Executive Director by regulation (section 3838 of Title 23 of the California Code of Regulations (CCR)).
5. On March 27, 1997, the SWRCB received a request from PG&E for certification that the repair and replacement of storm-damaged project facilities at Tiger Creek Hydroelectric Powerhouse and Service Center, which are project facilities of the Mokelumne River Hydroelectric Power Project, FERC Project No. 137, would be in compliance with state and local water quality requirements, including requirements that satisfy the specified provisions of the Federal Clean Water Act. The work to be accomplished under this request is limited to: (1) repair of the dry fire hydrant intake, and (2) relocation and replacement of the domestic water intake for the Tiger Creek powerhouse, service center, clubhouse and residential facilities.
6. On July 27, 1976, the SWRCB issued a water quality certification for the entire FERC Project No. 137, which found that the operation of the project was consistent with the Basin Plan. PG&E subsequently revised the FERC application for license, to include enlarged reservoir facilities and turbine upgrades. PG&E filed again for certification on March 15, 1983. On April 4, 1983, the Central Valley Regional Water Quality Control Board (CVRWQCB) determined that a new certification was not required for the amended project.
7. Major features of the Mokelumne River project are: Tiger Creek Afterbay, Electra Afterbay, Lake Tabeaud, Lower Bear River Reservoir, Upper Bear River Reservoir, Salt Springs Reservoir, Blue Lakes, Upper and Lower Blue Lake, Twin Lakes, which are utilized in conjunction with instream flows to operate the West Point Powerhouse, Tiger Creek Powerhouse and the Electra Powerhouse.
8. The proposed Tiger Creek project work consists of repair to the dry fire hydrant which serves as an emergency back-up water source for fire suppression at the existing PG&E Tiger Creek Hydroelectric Powerhouse and appurtenant Service Center, clubhouse and residential facilities. PG&E will also relocate and replace the domestic water supply intake facility. Water will be diverted via a submerged infiltration gallery system, using submersible pumps which

will be installed beneath the stream bank and upland area. A total of two infiltration galleries will be constructed. Construction work will include both instream work, and work along the streambank and adjacent thereto.

9. With regard to the proposed work identified in item (8) above, this work is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14, California Code of Regulations section 15301, inasmuch as it consists of the operation, repair, maintenance, or minor alteration of existing private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that previously existing.
10. The California Regional Water Quality Control Boards have adopted, and the SWRCB has approved, Water Quality Control Plans (Basin Plans) for each watershed basin in accordance with provisions of section 303 of the Clean Water Act, regarding the establishment of water quality standards and implementation plans (33 USC § 1313). Basin Plans identify beneficial uses of the waters within each Region.
11. The CVRWQCB, in its Basin Plan for the Sacramento River and San Joaquin River Basins has identified the beneficial uses of water in the Mokelumne River watershed tributary to Pardee Reservoir as municipal and domestic water supply, hydroelectric power generation, contact and non-contact recreation, warm and cold freshwater habitat, warm migration, warm and cold spawning, and wildlife habitat. The Basin Plan states that any water body which is identified as having both warm and cold beneficial use designations shall be considered COLD water bodies for the application of water quality objectives.
12. Protection of the chemical, physical, and biological integrity of waters of the state for instream beneficial uses identified in the Basin Plans requires maintenance of adequate stream flows as well as effluent limitations and other limitation on discharges of pollutants from point and nonpoint sources to navigable waters and their tributaries.
13. SWRCB staff has reviewed PG&E's FERC license application for the Mokelumne River Project (SWRCB files) and submittals for the Tiger Creek construction work.

ACCORDINGLY, THE SWRCB CERTIFIES THAT the proposed activities to repair the dry fire hydrant and relocation and replacement of the domestic water supply intake facility for the Tiger Creek Hydroelectric Powerhouse and Service Center Project will comply with sections 301, 302, 303, 306 and 307 of the Clean Water Act, and with applicable provisions of state law provided PG&E

complies with the following terms and conditions during the prosecution of the work certified herein:

1. In order to preserve the beneficial uses of water identified in the Basin Plan during the repair, relocation and replacement activities, PG&E shall:

Bypass sufficient water at all times to maintain the beneficial uses of water identified in the Basin Plan, as listed in item (11) above. The Basin Plan states that any water body which has both warm and cold beneficial use designations shall be considered COLD for the application of water quality objectives. Therefore, sufficient water shall be bypassed to maintain the identified COLD water quality objectives at all times.

2. Except for activities permitted by the U.S. Army Corps under Section 404 of the Clean Water Act, soil, silt or other organic or earthen materials shall not be placed where such materials could pass into surface waters or surface water drainage courses.
3. In order to protect the beneficial use designations identified in the Basin Plan, the authorized repair and replacement activities shall not add the following substances to surface waters:
 - a. Taste or odor producing substances to impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin or that may cause nuisance or adversely affect beneficial uses;
 - b. Perceptible floating material including, but not limited to, solids, liquids, foams or scums which could result in degradation of water quality;
 - c. Suspended or settleable material in concentrations that cause a nuisance or adversely affect beneficial uses;
 - d. Oil, greases, waxes or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water;
 - e. Toxic pollutants present in the water column, sediments, or biota in concentrations that adversely affect beneficial uses; that produce detrimental response in human, plant, animal, or aquatic life; or that bioaccumulate in aquatic resources at levels which are harmful to human health; and,
 - f. Coliform organisms attributable to human wastes.

4. Activities shall not cause turbidity increases in surface waters to exceed: (a) 20 percent if background turbidity is between 0 and 50 NTU; (b) 10 NTU if background turbidity is between 50 and 100 NTU; and, (c) ten percent if background turbidity is greater than 100 NTU, except during working periods when these limits will be eased to allow a turbidity increase of 15 NTU over background turbidity as measured 200 feet downstream from working area.
5. Activities shall not cause settleable matter to exceed 0.1 mg/l in surface waters as measured 200 feet downstream from working area.
6. All areas disturbed by project activities shall be protected from washout or erosion.
7. In the event that project activities result in the deposition of soil materials in the North Fork Mokelumne River or Tiger Creek when surface flows exist, the following monitoring shall be conducted 200 feet downstream of the work site and the results reported to the CVRWQCB within two weeks:

<u>Parameter</u>	<u>Unit</u>	<u>Type of Sample</u>	<u>Frequency of Sample</u>
Turbidity	NTU	Grab	Every four hours for the duration of the work day that soils were deposited.
Settleable Material	ml/l	Grab	Ibid above.

8. The permittee or licensee shall notify the CVRWQCB immediately if the above criteria for turbidity, settleable matter, oil/grease or foam are exceeded.
9. The permittee or licensee shall notify the CVRWQCB immediately of any spill of petroleum products or other organic or earthen materials.
10. If permittee or licensee initiates any activities requiring installation of concrete or grout, fresh concrete or grout shall not be allowed to contact or enter surface water.
11. In accordance with Section 1603 of the Fish and Game Code, no instream construction work shall be started until permittee or licensee has entered into a stream or lake alteration agreement with the California Department of Fish and Game and/or the Department has determined that measures to protect fishlife have been incorporated into the plans for construction of such diversion works. Any dewatering

activities shall be coordinated with the Department, and all reasonable measures taken to protect the beneficial uses of water. Prior to initiating dewatering activities, the permittee or licensee shall develop a plan to ensure an adequate water supply during the dewatering event to protect other legal users of water.

12. Only water used for power generation is authorized for discharge. Discharge of any other materials is prohibited.

Walt Pettit
Executive Director

Date:

