

TV 0325727-2
22



STATE WATER RESOURCES CONTROL BOARD
Power Generation
2013 MAR 23 PM 1:47
SACRAMENTO, CA

245 Market Street
San Francisco, CA 94105

Mailing Address
Mail Code N11C
P. O. Box 770000
San Francisco, CA 94177

March 28, 2013

Ms. Barbara Evoy
Deputy Director, Division of Water Rights
California State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

**RE: Pit 1 Hydroelectric Project; FERC No. 2687
§ 401 Water Quality Certification, Condition 13: Request for Temporary
Cessation of Flushing Flows in 2013**

Dear Ms. Evoy:

Pacific Gas and Electric Company's (PG&E) Pit 1 Hydroelectric Project¹ license (Federal Energy Regulatory Commission (FERC) Project No. 2687) includes a California State Water Resources Control Board (State Water Board) §401 Water Quality Certification (Certification). Condition 13 of the Certification requires PG&E to release flushing flows to control nuisance aquatic vegetation and mosquito production in Fall River Pond.

On May 26, 2009, the U.S. Fish and Wildlife Service (USFWS) sent a letter to FERC and the State Water Board expressing concern regarding a decline in the federally and state-endangered Shasta crayfish (*Pacifastacus fortis*). That letter requested suspension of summer flushing flows at PG&E's Pit 1 Project.

On August 28, 2009, the State Water Board sent a letter to PG&E indicating that amending the License was a discretionary action that required the State Water Board to comply with the California Environmental Quality Act (CEQA).

The State Water Board issued orders in 2010² and 2012³ that temporarily suspended these flushing flows in 2010, 2011 and 2012, while a CEQA process is implemented to analyze the effects of permanently suspending the flushing flow requirements. FERC, in turn, issued orders in 2010⁴ and 2012⁵ temporarily amending the Pit 1 license to suspend flushing flows.

¹ See 102 FERC ¶ 61,309 Order Issuing New License (Issued Marh19, 2003).

² State of California State Water Resources Control Board Order WQ 2010-0009-EXEC. *Order Approving Temporary Suspension of Flushing Flow Requirements* (State Water Board 2010 Order, issued July 6, 2010).

³ State of California State Water Resources Control Board Order WQ 2012-0008-EXEC. *Order Approving Extension of the Temporary Suspension of Flushing Flow Requirements* (State Water Board 2012 Order, issued June 14, 2012).

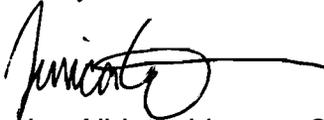
⁴ 132 FERC ¶ 62.101. *Order Temporarily Amending License and Incorporating Temporary Amendment to Water Quality Certification* (issued August 10, 2010).

⁵ 140 FERC ¶ 62.080. *Order Temporarily Amending License and Incorporating Temporary Amendment to Water Quality Certification* (issued July 26, 2012).

With this letter, PG&E respectfully requests a one-year extension, in 2013, of the suspension of flushing flows required by Certification Condition 13. The proposed suspension is to facilitate completion of the CEQA analysis. }

If you have any questions regarding this letter, please email me at J3AD@pge.com, or contact me at (415) 973-5747.

Sincerely,



Jessica Albietz, License Coordinator
Hydro Licensing

cc: Mr. Peter Barnes
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Ms. Kim Squires
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Mr. Matthew Myers
California Department of Fish and Wildlife
601 Locust St.
Redding, CA 96001

Mr. Steve Baumgartner
California Dept. of Fish and Wildlife
601 Locust St.
Redding, CA 96001