



Linda S. Adams
*Secretary for
Environmental Protection*

State Water Resources Control Board

Executive Office

Tam M. Doduc, Board Chair
1001 I Street • Sacramento, California • 95814 • 916.341.5615
P.O. Box 100 • Sacramento, California • 95812-0100
Fax 916.341.5621 • www.waterboards.ca.gov

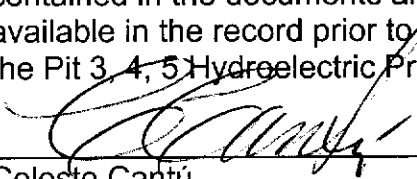


Arnold Schwarzenegger
Governor

CERTIFICATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE PIT 3, 4, AND 5 HYDROELECTRIC PROJECT

Pacific Gas and Electric Company (PG&E) requested water quality certification from the State Water Resources Control Board (State Water Board) under section 401 of the Clean Water Act for relicensing of the Pit 3, 4, and 5 Hydroelectric Project (Project) with the Federal Energy Regulatory Commission (FERC). The State Water Board is the lead agency under the California Environmental Quality Act (CEQA) in connection with the proceeding to consider issuing water quality certifications for the Project. (Pub. Resources Code, §§ 21000-21177.) When a project requires compliance with both CEQA and the National Environmental Policy Act, and the federal environmental impact statement (EIS) is prepared first and meets the requirements of CEQA, the state agency should use the EIS rather than prepare its own Environmental Impact Report (EIR). (Cal. Code of Regs., tit. 14, §15221.) Consistent with this policy, the State Water Board used the federal Final Environmental Impact Statement (FEIS) (FERC/FEIS 0158F, June 2004) rather than prepare an EIR. On December 21, 2005, the State Water Board circulated a supplemental letter and draft certification that added any points of analysis not covered in the FEIS but required under CEQA. The State Water Board provided public notice of the availability of the FEIS and its intent to rely on the federal document, and circulated the notice in accordance with the standards set forth in section 15087, subdivision (a) of the California Code of Regulations, title 14. (Cal. Code Regs., tit. 14, §15225.) Parties had 45 days to submit written comments on the CEQA component of the Project. Four comments were received. The State Water Board evaluated the comments received and issued a written response and the equivalent to a final EIR on March 7, 2006.

The FEIS and the State Water Board's supplemental notice were completed in compliance with CEQA, and reflect the State Water Board's independent judgment and analysis. The FEIS and supplemental documents have been presented to me, the Executive Director of the State Water Board, and I have reviewed the information contained in the documents and have considered them along with all information available in the record prior to deciding whether to issue water quality certification for the Pit 3, 4, 5 Hydroelectric Project.



Celeste Cantú
Executive Director



Date

California Environmental Protection Agency