
State Water Resources Control Board

PUBLIC COMMENT PERIOD FOR DRAFT WATER QUALITY CERTIFICATION

CALIFORNIA DEPARTMENT OF WATER RESOURCES DEVIL CANYON PROJECT FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 14797

To: Interested Parties Mailing List

Pursuant to section 401 of the federal Clean Water Act, the State Water Resources Control Board (State Water Board) has released a draft water quality certification (certification) for the Devil Canyon Project (Project), Federal Energy Regulatory Commission (FERC) Project No. 14797. The State Water Board is providing this opportunity for public review and comment on the draft Clean Water Act section 401 (33 U.S.C. § 1341) water quality certification (certification).

Project Background

On November 12, 2019, the Department of Water Resources (DWR) filed a final license application with FERC proposing to relicense the Project. On June 15, 2021, FERC issued a *Notice of Application Accepted for Filing, Soliciting Motions to Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions* for the Project (REA). Following FERC's REA, on August 13, 2021, DWR applied to the State Water Board for a Project certification.

Project Description

The existing Project is part of the State Water Project (SWP), which is the largest state-owned and operated water storage and delivery project in the United States. The Project is located in San Bernardino County south of the town of Hesperia on the East Branch of the SWP. The Project has an installed capacity of 272,796 kilowatts and includes one development, the Devil Canyon Development.

Water Quality Certification

In California, the State Water Board is responsible for protecting the State's water quality, including through issuance of certification. Certification must ensure compliance with water quality standards and other appropriate requirements of state law, such as water quality control plan standards. A certification is generally required before FERC can issue a project license. If the State denies certification, FERC cannot issue the license. If the State issues a certification with conditions, those conditions generally become conditions of the federal license.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Opportunity for Public Comment

This draft certification does not constitute a final action by the State Water Board. The State Water Board is releasing this draft certification to provide the public with an opportunity to review and comment on draft conditions developed to protect water quality and beneficial uses.

The comment period for the draft certification is from the date of this notice until June 24, 2022. **Comments on the draft certification must be received by 5:00 pm on June 24, 2022**, and can be submitted electronically or by mail as follows:

Email: WR401Program@waterboards.ca.gov

or

Mail:

State Water Resources Control Board
Division of Water Rights – Water Quality Certification Program
Attn. Andrea Sellers
P.O. Box 2000
Sacramento, CA 95812-2000

The **draft certification and additional information** regarding the State Water Board's process are **available on the [Project webpage](https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/erc_2426_14797/ferc14797.html)**, which is located online at:
https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/erc_2426_14797/ferc14797.html.

KEEP INFORMED OF PROJECT MILESTONES

To receive emails related to the Projects, 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:
http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml
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 Division of Water Rights’ Water Quality Certification Program pertaining to the Projects’ certification process. If you do not have internet access or do not wish to participate in the email subscription list, you may contact Andrea Sellers by phone at (916) 327-8449 to request to receive notices by mail. You can enroll or un-enroll from the email subscription service at any time.

If you have questions concerning this notice, the best means of contact is by email. If you have questions regarding this notice, please contact Andrea Sellers, Project Manager, by email at: Andrea.Sellers@waterboards.ca.gov.

Ann Marie Ore

Ann Marie Ore
Water Quality Certification Program Manager
Division of Water Rights

May 27, 2022

Date

Enclosure: Draft Water Quality Certification for the Devil Canyon Project

ec (with enclosures):

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cc (without enclosures): Interested Parties List