



EDMUNDO G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND INFORMATIONAL ITEM

DRAFT MEMORANDUM OF UNDERSTANDING BETWEEN THE FEDERAL ENERGY REGULATORY COMMISSION AND THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD CONCERNING COORDINATION OF PRE-APPLICATION ACTIVITIES FOR NON-FEDERAL HYDROPOWER PROPOSALS IN CALIFORNIA

NOTICE IS HEREBY GIVEN THAT the State Water Resources Control Board (State Water Board) will accept comments on a draft memorandum of understanding (MOU) between the Federal Energy Regulatory Commission (Commission) and the State Water Board regarding coordination of pre-application activities associated with proposed non-federal hydropower projects in California. The draft MOU can be found online at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/

SUBMISSION OF WRITTEN COMMENTS

In order to be fully considered, all written comments on the draft MOU must be received by the State Water Board by **NOON (12:00 p.m.) on July 8, 2013**. Persons submitting comments are encouraged to do so electronically via email to: tvallejo@waterboards.ca.gov, with a subject of "Comments on FERC/SWRCB Draft MOU." Written comments may also be mailed to:

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

Comments may also be hand delivered to Ms. Vallejo at the following address:

Tammy Vallejo
Division of Water Rights File Room
State Water Resources Control Board
Cal/EPA Headquarters Building
1001 I Street, 2nd Floor
Sacramento, CA 95814

Couriers delivering comments must check in with lobby security and have them contact the 2nd Floor File Room at (916) 341-5300.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov

INFORMATIONAL ITEM

State Water Board staff intends to present information related to the draft MOU to the State Water Board on **July 23, 2013**, at the regular State Water Board meeting. At the meeting, interested persons may provide oral statements regarding the draft MOU. To ensure a productive and efficient meeting in which all persons have an opportunity to participate, oral presentations may be time-limited. Interested persons are encouraged to submit written comments as early as possible to allow for thorough staff analysis, and in accordance with the deadline and procedure described above in the Submission of Written Comments section.

For information on making presentations before the State Water Board, go to: http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml. Questions regarding the meeting may be directed to Ms. Tammy Vallejo (916) 322-8469.

BACKGROUND

The Commission is responsible for issuing licenses for non-federal hydropower projects. The State Water Board is responsible for issuing water quality certifications for these hydropower projects with conditions necessary to ensure compliance with the Clean Water Act and appropriate requirements of State law. The water quality certification conditions become conditions of the Commission's license once issued.

The State Water Board and Commission prepared the draft MOU to coordinate procedures and schedules for pre-application activities associated with each agency's role in the licensing of hydropower projects. Pre-application activities include consultation, environmental scoping, study planning, and submittal of and commenting on the applicant's preliminary licensing proposal. Post-filing activities, including development of a joint environmental document between the two agencies is not the focus of this draft MOU.

The State Water Board will continue to work with the Commission to look for additional processes or opportunities to enhance coordination and improve the timelines associated with issuance of water quality certifications and their respective licenses. As noted in the draft MOU, the Commission and State Water Board will attempt to identify a pilot project for development of a joint environmental document that can meet the Commission's and State Water Board's needs.

ADDITIONAL INFORMATION

Please direct technical questions about this notice to Erin Ragazzi, Water Quality Certification Program Manager, at (916) 322-9634 or by email at enragazzi@waterboards.ca.gov, and legal questions to David Rose, Staff Counsel, at (916) 341-5196 or by email at drose@waterboards.ca.gov.

If you would like to receive future emails regarding the issuance of water quality certifications for Commission hydropower projects, please subscribe to the "Water Rights Water Quality Certification" list, online at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

JUN 10 2013



Erin Ragazzi
Water Quality Certification Program Manager
Division of Water Rights

Date