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JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

FEB 22 2019

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FEB 25 2019

Per _____

Mr. Steve Bauman
Senior Project Manager
Pacific Gas and Electric Company
Mail Code N11C
P.O. Box 770000
San Francisco, CA 94177

Dear Mr. Bauman:

DENIAL WITHOUT PREJUDICE OF WATER QUALITY CERTIFICATION FOR UPPER NORTH FORK FEATHER RIVER HYDROELECTRIC PROJECT, FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 2105, PLUMAS COUNTY

On February 26, 2018, the State Water Resources Control Board (State Water Board) received a request from Pacific Gas and Electric Company (PG&E) for water quality certification pursuant to section 401(a)(1) of the Federal Clean Water Act (33 USC § 1341 et seq.) for the relicensing of the Upper North Fork Feather Hydroelectric Project (Project), Federal Energy Regulatory Commission (FERC) Project No. 2105. Waterbodies associated with the Project include Lake Almanor, Butt Valley Reservoir, Belden Forebay, Butt Creek, and the North Fork Feather River.

In taking a certification action, the State Water Board must either: 1) issue an appropriately conditioned water quality certification, or 2) deny certification. (Cal. Code Regs., tit. 23, § 3859.) A water quality certification may be issued if it is determined that there is reasonable assurance that an activity will comply with state and federal water quality standards and that the appropriate environmental documents have been adopted to support certification and meet the requirements of the California Environmental Quality Act (CEQA). However, when a proposed project's compliance with water quality standards is not yet determined, but the application suffers from a procedural inadequacy, the State Water Board may deny certification without prejudice. (Cal. Code Regs., tit. 23, § 3837, subd. (b)(2).)

At this time, the CEQA process has not been completed for the Project. Without completion of the CEQA process, the State Water Board cannot issue a water quality certification.


PG&E is hereby notified that the February 26, 2018 request for water quality certification for the Project is denied without prejudice, effective the date of this letter. The denial without prejudice carries with it no judgment on the technical merits of the activity. In order to maintain an active water quality certification application, PG&E will need to request water quality certification for the Project.

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

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

If you have questions regarding this letter please contact Michelle Siebal in the Water Quality Certification Program of the Division of Water Rights at (916) 322-8465 or at michelle.siebal@waterboards.ca.gov. Written correspondence should be directed to: State Water Resources Control Board; Division of Water Rights – Water Quality Certification Program; Attn: Michelle Siebal; P.O. Box 2000 Sacramento, CA 95812-2000.

Sincerely,


Eileen Sobeck
Executive Director

cc: Mr. Tomás Torres, Director
U.S. Environmental Protection Agency
Region 9, Water Division
75 Hawthorne Street
San Francisco, CA 94105

Ms. Patrick Pulupa, Executive Officer
Central Valley RWQCB
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Interested Parties Mailing List

Ms. Kimberly D. Bose, Secretary
Federal Regulatory Energy Commission
888 First Street, NE
Washington, D.C. 20426