

June 3, 2019

**VIA ELECTRONIC MAIL**

Email: [wr401program@waterboards.ca.gov](mailto:wr401program@waterboards.ca.gov)

Ms. Ann Marie Ore  
State Water Resources Control Board  
Division of Water Rights – Water Quality Certification and Public Trust Program Manager  
P.O. Box 2000  
Sacramento, CA 95812-2000

**Re: Comments on Draft Initial Study/Negative Declaration for Pacific Gas and Electric Company's McCloud-Pit Hydroelectric Project, FERC Project No. 2106**

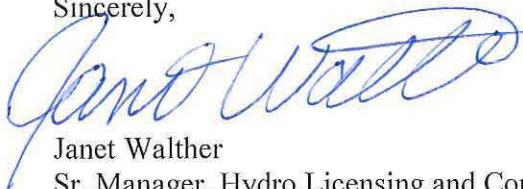
Dear Ms. Ore:

Pacific Gas and Electric Company (PG&E) hereby respectfully submits comments on the Draft Initial Study/Negative Declaration (IS/ND) issued by the State Water Resources Control Board (State Water Board) on May 2, 2019, for PG&E's McCloud-Pit Hydroelectric Project, FERC Project No. 2106 (Project). The IS/ND was prepared in response to PG&E's July 15, 2009 application for a water quality certification for the Project pursuant to Section 401(a)(1) of the Clean Water Act (33 U.S.C. § 1341(a)(1)), in association with its application for new license for the Project currently pending before the Federal Energy Regulatory Commission.

PG&E compliments the State Water Board and its staff on the quality and thoroughness of the draft IS/ND. PG&E believes that the conclusions about the Project's potential impacts under the new license are well documented and generally correct. PG&E offers the comments, revisions, and clarifications on the draft IS/ND in the attached table.

If you have any questions regarding this filing, please contact Alan Soneda at (415) 973-4054, or [alan.soneda@pge.com](mailto:alan.soneda@pge.com).

Sincerely,



Janet Walther  
Sr. Manager, Hydro Licensing and Compliance

Attachment: Pacific Gas and Electric Company's Comments on the draft Initial Statement/Negative Declaration for the McCloud-Pit Hydroelectric Project, Federal Energy Regulatory Commission Project No. 2106

cc: [via electronic filing \(P-2106-059\)](#)  
Ms. Kimberly D. Bose, Federal Energy Regulatory Commission

**Pacific Gas and Electric Company's Comments on the Draft Initial Statement / Negative Declaration for the McCloud-Pit Hydroelectric Project, Federal Energy Regulatory Commission Project No. 2106**

SECTION / TOPIC	REPRESENTATIVE PAGE NOS.	COMMENT
<b>Executive Summary</b>		
Project Description	Page ii	The Draft Initial Study / Negative Declaration (document) states that the Proposed Project, as defined by the State Water Board, consists of “Terms and conditions contained in the State Water Board’s certification that are necessary to protect water quality and the beneficial uses of water outlined in the Basin Plan”; however, the document does not identify any such terms and conditions.
<b>Section 1, Introduction</b>		
1.1, Background	Pages 1-1 and 1-3	The document states, “The Proposed Project under the California Environment [ <i>sic</i> ] Quality Act also includes: Impacts of potential terms and conditions contained in the State Water Board’s certification that are necessary to protect water and the beneficial uses of water....” However, because the document does not identify any such terms and conditions, it is not clear how the State Water Resources Control Board (State Water Board) identifies potential impacts associated with these terms and conditions. Similarly, page 1-3 of the document states that the State Water Board prepared the document to assess the environmental effects from changes to the Proposed Project required by the State Water Board’s water quality certification. No such changes to the Proposed Project that may be required in the State Water Board’s certification are identified in the document.
1.2, Uses of FERC’s EIS	Page 1-4	Pacific Gas and Electric Company (PG&E) proposed to implement the McCloud-Pit Project consistent with its 2009 final license application (license application). The document states, “The State Water Board’s certification will include terms and conditions that require PG&E to carry out the Project in the manner it has proposed.” Does this statement mean that the Water Quality Certification will only include terms and conditions that mirror those measures described in the license application?
1.4, Agency Participation and Application	Page 1-6, Table 1-1	Information in the USFS, Shasta Trinity-National Forest, row under the Federal Agencies subheading needs to be corrected to read, “...USFS permits <i>may</i> be needed to implement certain Proposed Project components, such as....” Project operation and maintenance (O&M) activities within the Project Boundary do not generally require additional USFS approval after the license is issued.
<b>Section 2, Project Description</b>		
2.1, Overview	Page 2-1, first paragraph	The statement, “generates an annual average of 364 MW of power” is incorrect. The average annual generation based on the period 1979 to 2004 is 1542.2 GWh.

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	Page 2-1, second paragraph	“McCloud River, which originates at Moosehead Creek, <i>southeast</i> of Mt. Shasta,” not southwest.
2.3.1.1, McCloud Dam and Reservoir	Page 2-3, second paragraph	McCloud Reservoir storage capacity is 31,197 acre-feet, not 35,197 acre-feet.
	Page 2-3, third paragraph	“McCloud River, which originates at Moosehead Creek, <i>southeast</i> of Mt. Shasta,” not <i>southwest</i> .
	Page 2-3, last paragraph	FERC boundary appears to be 200 feet <i>upslope of</i> the high-water line of the reservoir, not 200 feet <i>above</i> the high water line.
2.3.3.1, Pit 7 Dam and Reservoir	Page 2-6, first paragraph	Pit 7 Dam is <i>8 miles</i> downstream of Pit 6 Powerhouse, not <i>6 miles</i> .
2.3.4, Routine Operations and Maintenance	Page 2-7	The statement, “During periods of high flow, the powerhouses are operated at their maximum capacities in order to minimize spill (FERC 2011)” is incorrect. A correct statement would be, “During periods of high flow, the powerhouses <i>normally</i> are operated at their maximum capacity in order to minimize spill (FERC 2011); <i>however at Pit 6 and Pit 7 dams spill would have no effect on flows because the powerhouse is located at the base of each dam.</i> ”
	Page 2-8, Table 2-1, Slide Debris Removal	Under description, “Slides <i>greater</i> than 20 yards are repaired with the use of loaders...” not <i>less than</i> .
	Pages 2-10 to 2-11, Table 2-1	The rows listing transmission lines include a bullet for the 12 kilovolt (kV) distribution line. By definition, a distribution line is not a transmission line.
2.3.4, Routine Operations and Maintenance	Page 2-13, Table 2-2,	Change <i>State</i> to <i>States</i> in the table note.
2.3.5, Existing Recreation Facilities	Page 2-13	The text does not identify Fenders Flat, located in the vicinity of Pit 7 Afterbay, as a recreation area that is part of the existing license. The area does not have any improvements at this time, but it is an area available for public recreation use.
2.3.6, Existing Recreation Facilities Routine Operations and Maintenance	Page 2-18	PG&E does not currently hire six to eight caretakers to operate and maintain the McCloud-Pit Project recreation facilities. PG&E conducts campground O&M activities using one caretaker who shares duties for multiple PG&E projects in the area. Currently, PG&E provides O&M only at Hawkins Landing, and USFS provides O&M at Deadlun Campground and Tarantula Gulch Boat Launch. PG&E also employs one full-time security guard to enforce public access restrictions near Pit 7 Afterbay.
2.3.8.1, Water Flow Requirements	Page 2-19	Change <i>Steam</i> to <i>Stream</i> in the third sentence. “
	Page 2-19, third paragraph	Because the subject of the paragraph begins with discussing Iron Canyon Creek, the description

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		should clarify that “A minimum of 150 cfs is required <i>on the McCloud River</i> below the Pit 7 Powerhouse...”
2.4.3, Proposed Recreation Facilities	Page 2-21	<p>The numbers of new recreation facilities listed in the first two paragraphs are not consistent with those shown in Table 2-3. Additionally, the numbers are incorrect because, contrary to the text, “PG&amp;E proposes...” that they do not constitute PG&amp;E’s proposed recreation measures which are correctly described in Measure 19, beginning on page 3-530 of Exhibit E in the license application.</p> <p>This is the first of many occurrences in the document where the State Water Board incorrectly uses the phrase, “PG&amp;E proposes.” As defined by the State Water Board, the Proposed Project consists not only of the measures described in the license application but also includes:</p> <ul style="list-style-type: none"> <li>• Existing McCloud-Pit Project O&amp;M practices;</li> <li>• Terms and conditions contained in the Federal Energy Regulatory Commission’s (FERC’s) 2011 final environmental impact statement (final EIS);</li> <li>• Final U.S. Forest Service (USFS) 4(e) conditions filed in November 2010; and</li> <li>• Terms and conditions contained in the State Water Board’s certification (which we note are not presented in the document).</li> </ul> <p>Accordingly, it is incorrect to attribute to PG&amp;E those measures required by FERC, the Forest Service, and the Water Board. The Water Board needs to make numerous corrections throughout the document to ensure that only the measures contained in the license application are used to characterize the actions that PG&amp;E proposes.</p>
	Pages 2-22 and 2-23, Table 2-3	<p>Red Banks Day Use Area, Battle Creek Shoreline Access, McCloud Reservoir West and East Dam Shoreline Access, Star City Campground and Day Use Area, and McCloud Dam River Access would all be new facilities.</p> <p>Change: <i>Iron Canyon Dam Boat Launch</i> to <i>Iron Canyon Dam Boat Launch and Day Use Area</i></p> <p>Change: <i>Three Day Use Areas at Iron Canyon Reservoir</i> to <i>Three shoreline access parking areas and trails at Iron Canyon</i></p> <p>Pit 7 Reservoir developments would all be new facilities</p>
2.4.5, Proposed Minimum Flows	Page 2-33, Table 2-4	The table content is incorrect. Under All Water-Year Types, “If flow releases are $\geq 200$ cfs on <i>April 16</i> at MC-7” should be <i>April 15</i> . “If flow releases are $< 200$ cfs on <i>April 16</i> at MC-7”

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		should be <i>April 15</i> .
2.4.6, Required Environmental Management and Monitoring Plans Under the Proposed Project	Page 2-35	PG&E will coordinate with appropriate state and federal agencies—not just those with mandatory conditioning authority—to finalize resource management plans. PG&E will only implement resource management plans after FERC approves them.
2.4.6.3, Historic Properties Management Plan and Tribal Monitors	First paragraph of section	The HPMP was filed <i>October 26, 2010</i> , not <i>January 26, 2010</i> .
	Page 2-38	The document states that Tribal Cultural Monitors are “required” for various activities. However, the 2010 Historic Properties Management Plan (HPMP) requires Tribes to be notified and given the opportunity to provide a monitor during these activities, but if none is provided or no response is received, a monitor is not required. The text should be revised to state PG&E will invite Tribal Cultural Monitor participation consistent with requirements contained in the HPMP but that work may proceed if no response is received or if a monitor does not show up at the appointed time after scheduling participation.
2.4.6.7, Recreation Development and Management Plan	Page 2-40	Change <i>Recreations</i> to <i>Recreation</i> .
Section 3.2.1, Aesthetics	Page 3-8	The statement, “Although the Pit 7 Afterbay receives little public use” is incorrect. Public access to the afterbay is prohibited for safety reasons.
Section 3.2.4, Biological Resources	Page 3-33	“Forty-seven vegetation series or types were mapped”. TM-19 reports only 42 vegetation series or types were mapped.
	Page 3-33	“Eighteen of the 47 vegetation series....” TM-65 indicates 10 of the series or types are indicative of wetland or riparian habitats.
	Page 3-37	The document reports 16,297 acres of potentially suitable habitat whereas TM-62 reports 15,607 acres of potentially suitable habitat.
	Pages 3-39 to 3-54, Table 3-4	Multiple discrepancies exist between species listed in Table 3-4 of the document and Table 3 in TM-12; therefore, the species listed have not been fully checked and verified.
	Page 3-44, Table 3-4	<i>Eucephalis vialis</i> should be spelled <i>Eucephalus vialis</i> .
	Page 3-40 and 46, Table 3-4	<i>Sedum obtusatum</i> ssp. <i>paradisum</i> is listed twice in Table 3-4; once as <i>Known to Occur</i> on page 3-40 and again under the heading <i>May Potentially Occur</i> on page 3-46.

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	Page 3-50, Table 3-4	<i>Chamaesyce hooveri</i> name has been changed to <i>Euphorbia hooveri</i> .
	Page 3-67	Correct the typo in the third paragraph: “Results of monitoring required by... which will develop <del>of</del> adaptive management actions as needed.”
	Page 3-67	“Aquatic Biological Monitoring Plan. PG&E is required to finalize the draft Aquatic Biological Monitoring Plan (PG&E 2010)...” PG&E 2010 is not listed as a reference in the Literature Cited section. PG&E 2009a includes nine draft management plans included with the license application. Reference to plans submitted by the USFS should be cited as such and references to PG&E only pertain to the draft management plans submitted with the license application. This is a global comment on the use of PG&E 2010.
	Page 3-69, first paragraph	<i>McCloud River Dam</i> should be corrected to <i>McCloud Dam</i> .
	Page 3-74, last paragraph	<i>SNTF</i> ” should be corrected to <i>STNF</i> .
Section 3.2.5, Cultural Resources	Page 3-90	<p>We note several discrepancies in the text in subpart (a) related to summarized information about cultural resources:</p> <ul style="list-style-type: none"> <li>• The license application, HPMP, and final EIS report 22 isolated finds, not 33.</li> <li>• The license application, HPMP, and final EIS state that of the 33 sites documented within the APE, 3 are eligible for the National Register of Historic Places, 6 are recommended as eligible, and 24 are unevaluated.</li> </ul> <p>The HPMP, final EIS, and State Historic Preservation Officer’s (SHPO) letter dated March 23, 2010, identify 31 potential traditional cultural property locations. However, HPMP and SHPO letter state that 15 locations are not eligible—not 18 locations, as stated in the State Water Board’s document.</p>
	Page 3-91	See comment regarding Tribal Monitors in Section 2.4.6.3 above.
	Page 3-92	Text in subpart (b) reports no unique archaeological resources were identified. <i>Unique</i> under the California Environmental Quality Act and <i>eligible</i> under the National Historic Preservation Act have essentially the same meaning. As stated in the license application and HPMP (see comment above), 3 archaeological sites are classified as eligible, and the remainder are potentially eligible or unevaluated and could be significant. The statement that there are no <i>unique</i> sites is incorrect because 3 <i>eligible</i> sites were identified. .
Section 3.2.6, Energy	Page 3-95	This section should state that the California Public Utilities Commission (CPUC) is also a

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		<p>proponent of renewable energy and energy efficiency.</p> <p>The section should also be supplemented with the following information:</p> <p><b>Regulatory Background</b></p> <p><i>Federal</i></p> <ul style="list-style-type: none"> <li>• <b>Energy Policy Act of 2005</b>—The Energy Policy Act created energy-related tax incentives from 2005 to 2016 to promote energy efficiency and conservation, renewable energy, oil and gas production and transmission, coal production, and electric generation and transmission.</li> <li>• <b>American Recovery Reinvestment Act of 2009</b>—As part of a larger stimulus package, this Act authorized federal funding to the U.S Department of Energy to forward specific energy priorities, including modernizing the nation's electric transmission grid.</li> </ul> <p><i>State</i></p> <ul style="list-style-type: none"> <li>• <b>Renewable Portfolio Standard Program</b>—Established in 2002, California's Renewable Portfolio Standard aims to ensure that a minimum amount of renewable energy is included in the state's portfolio of electric generation resources. In 2015, Senate Bill (SB) 350 increased California's renewable electricity procurement goal from 33 percent by 2020 to 50 percent by 2030 to enhance the state's ability to meet its long-term climate goal of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050. The CPUC is working with the California State Energy Resources Conservation and Development Commission (CEC) to help implement SB 350 by setting guidelines for large publicly owned utilities to ensure that the goals of SB 350 are met. In September 2018, SB 100 was signed into law, accelerating California's renewable electricity procurement goals to 50 percent by 2026 and 60 percent by 2030. The law further directed the CPUC, CEC, and State Air Resources Board to plan for 100 percent of total retail sales of electricity in California to come from eligible renewable energy resources and zero-carbon resources by 2045. The law notes that new and modified electric transmission facilities may be necessary to facilitate the state achieving its renewables portfolio standard targets.</li> <li>• <b>Renewable Energy Transmission Initiative</b>—The Renewable Energy Transmission Initiative 2.0 is a statewide, non-regulatory planning effort convened by the California Natural Resources Agency with participation from the CEC, CPUC, California</li> </ul>

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		<p>Independent System Operator, and the U.S. Bureau of Land Management California Office. This initiative was created to explore the renewable generation potential available to California utilities to help meet state-wide greenhouse gas reduction and renewable energy goals and to identify the potential transmission implications of accessing and integrating these resources.</p> <ul style="list-style-type: none"> <li>• <b>California 2008 Energy Action Plan Update</b>—Originally developed in 2003 and updated in 2005 and 2008, the California Energy Action Plan identifies specific action areas to ensure that California’s energy resources are adequate, affordable, technologically advanced, and environmentally sound. The plan’s first-priority actions to address California’s increasing energy demands are energy efficiency and demand response (i.e., reduction of customer energy usage during peak periods to address system reliability and support the best use of energy infrastructure). Additional priorities include the use of renewable sources of power and distributed generation. The plan also notes that investment in conventional transmission infrastructure is crucial to helping the state meet its renewable energy goals.</li> </ul>
	Page 3-95	<p>This description should be supplemented with the following information:</p> <ul style="list-style-type: none"> <li>• Pit 6, Pit 7, Iron Canyon, and McCloud powerhouses have backup propane generators;</li> <li>• Pit 6 and Pit 7 radial spill gates have auxiliary propane motors; and</li> <li>• The primary power source at McCloud Powerhouse is currently a small hydro generator.</li> </ul> <p>At McCloud Powerhouse, instream flow release changes and needed upgrades in the future will require replacing the two energy sources with larger capacity generators.</p>
	Page 3-96, last paragraph	<p>“...<i>the five</i> additional caretaker’s vehicle trips...” should be changed to “...<i>up to five</i> additional caretaker’s vehicle trips....”</p>
	Page 3-97	<p>It should be noted that Pit 6, Pit 7, and J.B. Black powerhouses do not meet the California threshold of 30 MW to be included in the renewable portfolio.</p>
Section 3.2.9, Hazards and Hazardous Materials	Page 3-115	<p>The CPUC is set to adopt a decision on May 30, 2019, implementing SB 901 (2018), R.18-10-007, which requires the state’s electric utilities to submit wildfire mitigation plans. PG&amp;E submitted its Amended 2019 Wildfire Safety Plan to the CPUC on February 6, 2019; that plan and those of the other state utilities will be addressed in the upcoming decision. The CPUC’s decision will also include guidance for implementing the plans.</p> <p>The existence of PG&amp;E’s Wildfire Safety Plan should be added to the discussions on wildfires</p>



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		where appropriate.
	Page 3-118	The sentence, "Refer to Appendix C of the 2010 Draft Project Implementation Guide for a complete list of BMPs (PG&E 2010)," should be replaced with the sentence "When finalized, the Project Implementation Guide (Forest Service 2010b) will include complete lists of the then-current BMPs as Appendix C." The draft plan filed by the USFS only has Appendix C as a placeholder for future BMPs. Alternatively, the sentence could be deleted.
Section 3.2.11, Land Use and Planning	Page 3-134	The statement, "Under the CRMP, the McCloud River would continue to be managed to preserve the pristine quality of its resources, including its free-flowing condition and fishery below McCloud Dam," is incorrect. The operation of McCloud Dam regulates river flow.
Section 3.2.13, Noise	Page 3-137	Change <i>Start City</i> in the last line to <i>Star City</i> .
Section 3.2.16, Recreation	Page 3-148, Table 3-6	Table note 3 is not shown in the table. It should be applied to the row for Lower McCloud River. These facilities are not part of the existing or Proposed Project.
	Page 3-150	Make the following corrections in the list of Iron Canyon Reservoir developments: <ul style="list-style-type: none"> <li>• Change: <i>Three New Day Use Areas at Iron Canyon Reservoir</i> to <i>Three shoreline access parking areas and trails at Iron Canyon</i>. (These developments are only for parking and shoreline access. No day use facilities would be constructed at any of these sites.)</li> <li>• Delete <i>Pit 6 boat access</i>. The Proposed Project does not include any developments to provide boating access to Pit 6 Reservoir.</li> </ul>
Section 3.2.17, Transportation	Page 3-159	Section 15064.3 of the California Environmental Quality Act Guidelines states: "Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project's effect on automobile delay shall not constitute a significant environmental impact." For this reason, vehicle miles traveled is generally not considered relevant to Project construction and the paragraph addressing this impact could either be deleted or included solely for informational purposes.
Section 3.2.18, Tribal Cultural Resources	Page 3-90	See comment regarding site counts in Section 3.2.5 above.
	Page 3-91	See comment regarding Tribal monitors in Section 2.4.6.3 above.
Section 3.2.19, Utilities and Service Systems	Page 3-169	The description does not reflect that the Proposed Project includes providing potable water and security lighting. This circumstance conflicts with the statement, "The Proposed Project does not involve the relocation or construction of any new or existing other water, wastewater treatment or stormwater, electric power, or natural gas, or telecommunication facilities."

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Section 3.2.20, Wildfire	Page 3-174	<p>The CPUC is set to adopt a decision on May 30, 2019, implementing SB 901 (2018), R.18-10-007, which requires the state's electric utilities to submit wildfire mitigation plans. PG&amp;E submitted its Amended 2019 Wildfire Safety Plan to the CPUC on February 6, 2019; that plan and those of the other state utilities will be addressed in the upcoming decision. The CPUC's decision will also include guidance for implementing the plans.</p> <p>The existence of PG&amp;E's Wildfire Safety Plan should be added to the discussions on wildfires where appropriate.</p>