

## State Water Resources Control Board

**JUL 29 2013**

Mr. Dave Steindorf  
California Stewardship Director  
American Whitewater  
4 Baroni Drive  
Chico, CA 95928

Dear Mr. Steindorf:

### WATER QUALITY CERTIFICATION AMENDMENT PROCESS FOR PIT 1 HYDROELECTRIC PROJECT; FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 2687; SHASTA COUNTY

On April 8, 2013, the State Water Resources Control Board (State Water Board) received a letter from American Whitewater requesting clarification on the process for amending a water quality certification (certification) that had been issued under section 401 of the Clean Water Act. While the letter specifically identifies the proposed amendment to the certification for the Pit 1 Hydroelectric Project, Federal Energy Regulatory Commission (FERC) Project No. 2687, it requests that the State Water Board identify the general procedure that is used when evaluating any proposed amendment to a certification. In response to the letter, State Water Board staff met with representatives from American Whitewater, Friends of the River, California Sportfishing Protection Alliance, Trout Unlimited, and the California Hydropower Reform Coalition on May 9, 2013, to discuss the various steps that are taken when considering an amendment to a certification.

As discussed in the meeting, the State Water Board generally treats requests for certification amendment similarly to applications for certification. There are three basic steps that the State Water Board will complete when considering a certification amendment, as follows:

- **Noticing:** The State Water Board would publicly notice the request to amend a certification pursuant to California Code of Regulations, title 23, section 3858. If it is the State Water Board initiating the amendment, the State Water Board would similarly provide public notice of its proposed action.
- **California Environmental Quality Act (CEQA) Compliance:** The State Water Board will comply with CEQA (Pub. Res. Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), to the extent required by law.
- **Act on Request:** After complying with the noticing and CEQA, the State Water Board may take action on the request.

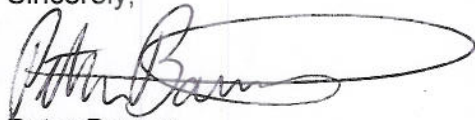
FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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State Water Board staff appreciates the continued interest and cooperation of American Whitewater as a stakeholder in the certification process. If you have questions regarding this matter, please contact me at (916) 445-9989 or by email at pbarnes@waterboards.ca.gov. Written correspondence can be directed to:

State Water Resources Control Board  
Division of Water Rights  
Attn: Peter Barnes  
P.O. Box 2000  
Sacramento, CA 95814-2000

Sincerely,



Peter Barnes  
Engineering Geologist  
Water Quality Certification Program  
Division of Water Rights

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Mr. Dave Steindorf  
California State Water Board  
American Whitewater  
4 Baron Drive  
Chico, CA 95928

Dear Mr. Steindorf:

On April 8, 2013, the State Water Board received a letter from American Whitewater regarding a proposed amendment to the Water Quality Certification Program. The amendment would allow for the certification of certain types of hydroelectric projects. The Board is currently reviewing the amendment and will provide public notice of its proposed action. The State Water Board will complete when considering a certification amendment to a certification. As discussed in the meeting, the State Water Board generally finds requests for certification amendment similarly to applications for certification. There are three basic steps that the State Water Board will complete when considering a certification amendment, as follows:

- Noticing: The State Water Board would publicly notice the request to amend a certification pursuant to California Code of Regulations, title 23, section 2888. It is the State Water Board's intent that the State Water Board would similarly provide public notice of its proposed action.
- California Environmental Quality Act (CEQA) Compliance: The State Water Board will comply with CEQA (Pub. Res. Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), to the extent required by law.
- Act on Request: After complying with the noticing and CEQA, the State Water Board may take action on the request.