



State Water Resources Control Board

**NOTICE OF AVAILABILITY FOR PUBLIC COMMENT OF
A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
KILARC-COW CREEK HYDROELECTRIC PROJECT LICENSE SURRENDER
FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 606**

To: Interested Parties Mailing List

Pursuant to section 401 of the Clean Water Act (33 U.S.C. § 1341), applicants for a federal license or permit for activities which may result in any discharge to waters of the United States must obtain water quality certification (certification) from the state in which the discharge occurs. Such certification must be based on a finding that the activity will meet water quality standards and other applicable requirements. In California, the State Water Resources Control Board (State Water Board) is responsible for taking action on certification applications for proposed activities that require a Federal Energy Regulatory Commission (FERC) license, license amendment, or license surrender order.

Pacific Gas and Electric Company (PG&E) applied to the State Water Board for a Clean Water Act section 401 certification for the FERC license surrender of the [Kilarc-Cow Creek Hydroelectric Project](#) (Project). The State Water Board must comply with the California Environmental Quality Act (CEQA; Pub. Res. Code, § 21000 et seq) when issuing a certification.

The State Water Board, as lead agency for CEQA compliance, has directed the preparation of an environmental impact report (EIR) for the Project, in compliance with CEQA Guidelines.

The following information is provided in satisfaction of the formal written notice requirements for public review of a Draft EIR (CEQA Guidelines, § 15087).

- Applicant:** Pacific Gas and Electric Company
- Project Name:** Kilarc-Cow Creek Hydroelectric Project License Surrender
- Project Location:** Shasta County

Project Description:

The Project is located in the Cow Creek watershed in Shasta County, California, about 30 miles east of the city of Redding, near the community of Whitmore. The Cow Creek watershed drains into the Sacramento River. The Project consists of two developments located in sub-watersheds of Cow Creek: 1) Kilarc Development (located in the Old Cow Creek sub-watershed); and 2) Cow Creek Development (located in the South Cow Creek sub-watershed). The Kilarc Development includes three diversion dams, one siphon, one penstock, one powerhouse, one forebay, and several canals, tunnels, and spillways. The Cow Creek Development includes two diversion dams, one penstock, one powerhouse, one forebay, and several canals, tunnels, and spillways. The Project currently operates as a run-of-river facility with relatively small storage volumes in its forebays.

On March 12, 2009, PG&E filed a license surrender application with FERC seeking to decommission the Project. The Proposed Project primarily consists of the decommissioning and removal of the Kilarc and Cow Creek developments consistent with implementation of the PG&E's [Proposed Decommissioning Plan](#). Following FERC issuance of a license surrender order, PG&E will develop detailed engineering and management plans for Project implementation.

Regulatory Background:

When the State Water Board considers issuing a certification for a project, it evaluates whether the project will comply with the applicable water quality control plan (basin plan) and whether the beneficial uses of the water bodies covered by the basin plan will be protected. The Regional Water Quality Control Boards (Regional Water Boards) prepare basin plans that designate the beneficial uses of waters to be protected and establish the water quality objectives necessary to protect those uses, as required under section 303 of the Clean Water Act (33 U.S.C. § 1313) and sections 13240 and 13241 of the California Water Code. When establishing water quality objectives, the Regional Water Boards consider: the past, present, and future beneficial uses of the water bodies; their environmental characteristics; economics; and water quality conditions that could be reasonably achieved through the coordinated control of the factors affecting water quality. Beneficial uses and water quality objectives for the Cow Creek watershed are designated in the Central Valley Regional Water Board's *Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin* ([Basin Plan](#)).

South Cow Creek is listed for indicator bacteria on the Clean Water Act Section 303(d) list¹ in *California's 2014 and 2016 California Integrated Report (Clean Water Act Section 303(d) List/305(b) Report)*².

Overview of Draft EIR and Proposed Project:

The Draft EIR evaluates the Proposed Project and three alternatives: 1) No Project; 2) Retaining Kilarc Forebay; and 3) Retaining Flow to Abbott Ditch Users Existing Point of Diversion. The Proposed Project is described in Chapter 2.6 of the Draft EIR. The alternatives are described in Chapter 3 of the Draft EIR.

The Draft EIR identifies significant impacts for Terrestrial Resources, for which there are mitigation measures that will be implemented to prevent or avoid significant environmental impacts. The Draft EIR identifies significant and unavoidable impacts for Agricultural Resources and Recreation.

¹ The Clean Water Act Section 303(d) list is a state's list of impaired and threatened waters.

² The report is available online at: https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml (last accessed April 4, 2019).

Public Review Period:

The Draft EIR comment period is from the date of this notice until **May 24, 2019**. **Comments on the Draft EIR must be received by 12:00 pm (noon) on Friday, May 24, 2019**, and can be submitted electronically or by mail as follows:

Email:

WR401Program@waterboards.ca.gov

or

Mail:

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

The Draft EIR, and additional information regarding the State Water Board's process, are available on the [Project webpage](#), which is located online at:
https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/kilarc_cow/.

Document Availability:

The Draft EIR will be available for review at the following locations no later than April 15, 2019. Please note the days the locations are open are provided for convenience; locations may be closed on the indicated days for holidays or other reasons.

Redding Library

1100 Parkview Ave.
Redding, CA 96001
(530) 245-7250
Open Monday - Sunday

Central Valley Regional

Water Quality Control Board - Redding Office
364 Knollcrest Drive, #205
Redding, CA 96002
(530) 224-4845
Open Monday – Friday

State Water Resources Control Board

1001 I Street, Room 2-114
Sacramento, CA 95814
(916)-341-5300
Open Monday – Friday

KEEP INFORMED OF PROJECT MILESTONES

To receive emails related to the Project and other projects pursuing certifications managed by the Division of Water Rights, 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#rights
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).

If you do not have internet access or do not wish to participate in the email subscription list, you may contact Ms. Michelle Siebal at the phone number listed below 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 regarding this notice, please contact Water Quality Certification Program staff by email at: WR401Program@waterboards.ca.gov, or Ms. Michelle Siebal by phone at (916) 322-8465.

Sincerely,

APR 08 2019



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

Date