



State Water Resources Control Board



Division of Water Rights

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Linda S. Adams
*Secretary for
Environmental Protection*

Arnold Schwarzenegger
Governor

To: Interested Parties

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION AND ISSUE WATER QUALITY CERTIFICATION FOR THE CONSTRUCTION AND OPERATION OF THE BRITTON POWERHOUSE AND PIT 3, PIT 4, AND PIT 5 DAM INSTREAM FLOW RELEASE FACILITIES, FERC #233

Pacific Gas and Electric Company (PG&E or Licensee) has applied to the Federal Energy Regulatory Commission (Commission) to amend the license for the Pit 3, 4, and 5 Hydroelectric Project to add the Britton Powerhouse at the Pit 3 Dam. PG&E has also applied to the U.S. Army Corps of Engineers (ACOE) for Nationwide Permits (NWP) for the Britton Powerhouse and for construction of Instream Flow Release (IFR) Structures at the Pit 3, Pit 4, and Pit 5 Dams (Projects). Before FERC can amend the license for the Pit 3, 4, and 5 Hydroelectric Project, and before the ACOE can issue NWP, PG&E must obtain water quality certification under section 401 of the Clean Water Act from the State Water Resources Control Board (State Water Board) (33 U.S.C. § 1341).

For the purposes of the Projects, the State Water Board is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, §§ 21000-21177). The State Water Board has prepared an Initial Study and Environmental Checklist for the Projects.

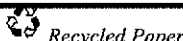
The State Water Board intends to adopt a negative declaration for the Projects and is circulating this letter in accordance with the standards set forth in the California Code of Regulations, title 14, section 15072. Members of the public and agencies have 30 days to submit comments to the State Water Board. **Comments must be received by 5 p.m. on May 7, 2009.**

Copies of the Initial Study/Environmental Checklist and Proposed Negative Declaration can be found on the Division of Water Rights' (Division) web site at http://www.waterrights.ca.gov/FERC/ceqa_projects.html and at the locations listed below. If you cannot access the document online or at the following locations, you may request that the Division send you a copy by contacting Russ Kanz by phone at (916) 341-5341 or via e-mail at rkanz@waterboards.ca.gov. Please make your request promptly to allow enough time to receive and review the document within the comment period.

California Environmental Protection Agency
State Water Resources Control Board
Records Unit (File Room), 2nd Floor
1001 I Street
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Eastern Shasta County Branch Library
37038 Siskiyou Street
Burney, CA 96013

California Environmental Protection Agency



Shasta County Main Library
1855 Shasta Street
Redding, CA 96001

Comments can be submitted by letter or electronically mailed to the address listed below. Comments sent by e-mail should clearly identify the name and address of the commenter.

Russ Kanz
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000
rkanz@waterboards.ca.gov

While not legally required, the State Water Board is providing a draft water quality certification for the Projects. Comments on the draft water quality certification will be accepted if received by the CEQA deadline of May 7, 2009. Parties providing public comment should specify which comments are provided for CEQA purposes and which comments address general water quality certification issues.

This letter also serves as notice pursuant to the California Code of Regulations, title 23, section 3858 that the State Water Board intends to take action on the water quality certification for this project after expiration of the 30-day CEQA comment period.

Sincerely,



Leslie F. Grober, Manager
Hearings and Special Programs Section