



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
Fax: 916.341.5400 ♦ www.waterboards.ca.gov/waterrights

Arnold Schwarzenegger
Governor

MAY 21 2009

To: Interested Parties

**WATER QUALITY CERTIFICATION AND RESPONSE TO COMMENTS FOR
CONSTRUCTION AND OPERATION OF THE BRITTON POWERHOUSE AND PIT 3, 4, AND
5 DAM INSTREAM FLOW RELEASE FACILITIES, FERC NO. 233**

On May 21, 2009, the Executive Director of the State Water Resources Control Board (State Water Board) issued water quality certification for the construction and operation of the Britton Powerhouse and Instream Flow Release Facilities at the Pit 3, 4, and 5 Dams (FERC # 233). On May 20, 2009, the State Water Board adopted a Negative Declaration for the project. On April 2, 2009, the State Water Board solicited comments on the Initial Study/Environmental Checklist and draft water quality certification. The State Water Board received comments on May 11, 2009 and April 22, 2009, from the Pit River Tribe and Percy Banks, respectively. Both of these comments were related to the instream flow releases required in the Federal Energy Regulatory Commission (Commission) license for the Pit 3, 4, and 5 Hydroelectric Project. These comments did not specifically address the project described in the Initial Study or the draft water quality certification and are not within the scope of the this project. Comments related to the initial Commission license are no longer timely. The water quality certification, Negative Declaration, and Initial Study/Environmental Checklist, along with the Notice of Determination are available on the Division of Water Rights web page at http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/401_certifications.shtml.

If you have any questions, please contact me by calling (916) 341-5341, or by email at rkanz@waterboards.ca.gov.

Sincerely,


Russ J. Kanz
Staff Environmental Scientist

cc: Mailing List