

# Notice of Exemption

# Appendix E

**To:** Office of Planning and Research  
 P.O. Box 3044, Room 113  
 1400 Tenth Street  
 Sacramento, CA 95812-3044  
  
 County Clerk  
 County of Shasta  
 1643 Market Street  
 Redding, CA 96001-1022

**From (Public Agency):**  
 State Water Resources Control Board  
 Division of Water Rights  
 Attention: Mr. Peter Barnes  
 P.O. Box 2000  
 Sacramento, CA 95812

**Project Title:** Pit 1 Hydroelectric Project (Project), Federal Energy Regulatory Commission (FERC) Project No. 2687 - 401 Water Quality Certification, Condition 13 - Request for Temporary Cessation of Flushing Flow in 2014.

**Project Applicant:** Pacific Gas and Electric Company

**Project Location - Specific:** The Pit 1 Hydroelectric Project (Project) is located on the Pit and Fall Rivers near the communities of Fall River Mills and McArthur in the northeastern portion of Shasta County, California. The Pit 1 Forebay Dam from which the flushing flows are released, is located on the Pit River immediately upstream of the Fall River Pond.

**Project Location - City:** Fall River Mills

**Project Location - County:** Shasta

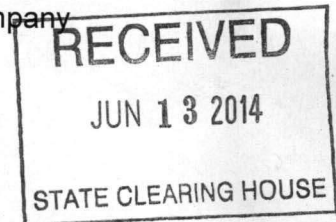
**Description of Nature, Purpose, and Beneficiaries of Project:** Pacific Gas and Electric Company (PG&E) operates the Project, FERC No. 2687, for which FERC issued a new operating license on March 19, 2003. The FERC license for the Project includes the State Water Resources Control Board's 401 water quality certification that requires PG&E to release flushing flows from the Pit 1 Forebay Dam to control nuisance aquatic vegetation and mosquito production in Fall River Pond. This Project is for the temporary suspension of flushing flows required under Condition 13 of the Project's water quality certification in order to protect the Shasta crayfish, which was listed as endangered under both the California and Federal Endangered Species Acts in 1988. The Project impounds water to feed the Pit 1 powerhouse, which operates as a peaking plant to help PG&E meet daily load swings. The Pit 1 forebay is a 222-acre impoundment immediately above the 0.7 mile long Fall River Pond.

**Name of Public Agency Approving Project:** State Water Resources Control Board

**Name of Person or Agency Carrying Out Project:** Pacific Gas and Electric Company

**Exempt Status: (check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 7, §15307
- Statutory Exemptions. State code number: \_\_\_\_\_



**Reasons why project is exempt:** The temporary suspension of flushing flows for one additional year will not have a significant adverse effect and is categorically exempt from the requirements to prepare environmental documents under California Code of Regulations section 15307 (Actions by Regulatory Agencies for Protection of Natural Resources). The continued suspension of flushing flows is being implemented to protect the endangered Shasta crayfish.

**Lead Agency**

**Contact Person:** Peter Barnes

**Area Code/Telephone/Extension:** (916) 445-9989

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: *Dusan Markovic* Date: 6/12/2012 Title: Senior Env. Scientist Acting for Env. Program Manager

Signed by Lead Agency  Signed by Applicant