The State Water Resources Control Board hereby amends the water quality certification for Pacific Gas and Electric Company’s Pit 1 Hydroelectric Project to modify

Conditions 13-15, and add Conditions 20-21. Text from the December 4, 2001 certification is shown in regular text. Deletions are shown in ~~strikeout~~. Additions are shown in underlined text.

13. The Licensee shall control growth of aquatic vegetation and mosquito production in the Fall River Pond by releasing a continuous minimum fish/aquatic habitat release as described in Condition 8.

To provide for whitewater boating recreation, the Licensee shall release through Fall River Pond 1,250 cfs, or the natural inflow to the Pit 1 Forebay, whichever is less, for two weekends (Saturday and Sunday) in October on or before October 31 of each year. The whitewater boating flows shall begin at approximately 2:00 a.m. on the first day (Saturday) and ramp up as prescribed in Condition 12. The whitewater boating flows shall be maintained until approximately 3:00 p.m. on the following day (Sunday) of each release of whitewater boating flows, and then be ramped down as prescribed in Condition 12. Each year by September 15, the Licensee shall consult with American Whitewater to schedule the whitewater boating flow weekends. The Licensee shall provide notice of the whitewater boating flow weekends to the SWRCB, American Whitewater, and other interested parties at least seven days prior to the first day of whitewater boating flows.

The Licensee may request modifications to the whitewater boating flows after consultation with American Whitewater and SWRCB staff. Such requests shall be submitted to the Deputy Director of the Division of Water Rights (Deputy Director)[[1]](#footnote-2) for review and consideration for approval. The Licensee shall include comments and recommendations made in connection with the proposed whitewater boating flows modifications and a description of how the request incorporates or addresses the comments and recommendations. The Deputy Director may require modifications as part of any approval. The Licensee shall file with FERC the Deputy Director-approved whitewater boating flow modifications, and any approved amendments thereto. The Licensee shall implement the whitewater boating flows upon receipt of Deputy Director and any other required approvals, in accordance with the schedule and requirements specified by this condition.

14. The SWRCB reserves the authority to modify the conditions of the certification if monitoring results indicate that continued operation of the Pit 1 Project could negatively impact water quality or in response to new information regarding the Shasta crayfish (*Pacifastacus fortis*).

15. For the life of the new license, the Licensee shall provide the Chief of the Division of Water Rights by December 31 of each year, a report containing the flow records from the previous water year. The report shall document the required instantaneous flow releases from the Fall River Weir and the releases made to maintain the minimum flows below the Pit 1 Powerhouse. The report shall include other streamflow data collected by the Licensee from the Pit River as identified in the streamflow measuring plan required in condition 9. The report shall be provided to the Department of Fish and Game upon its request. The report shall identify any events where the minimum flow requirements were not met, the circumstances for the violation and what measures were taken by the Licensee to correct the problem.

20. As proposed in the Licensee’s letter to the SWRCB dated October 17, 2018, the Licensee shall improve access to the Pit River at the current river boating put-in (near Cassel-Fall River Road Bridge) by constructing 12 new overflow parking spaces in the immediate vicinity of the existing parking facility. The Licensee shall complete construction within two years following FERC’s incorporation of this certification amendment into the Pit 1 Project license unless otherwise approved by the Deputy Director.

No later than 90 days prior to the desired construction start date, the Licensee shall submit a Water Quality Monitoring and Protection Plan (Plan) to the Deputy Director for review and consideration of approval. The purpose of the Plan shall be to ensure that construction of the new overflow parking does not impact water quality. At a minimum, the Plan shall demonstrate compliance with sediment and turbidity water quality objectives in *The Water Quality Control Plan for the Sacramento River Basin and San Joaquin River Basin*[[2]](#footnote-3) and any amendments thereto The Plan shall be developed in consultation with the SWRCB, CVRWQCB, American Whitewater, California Department of Fish and Wildlife,[[3]](#footnote-4) and U.S. Fish and Wildlife Service.

The Plan shall be based on actual site geologic, soil, and groundwater conditions, and at a minimum shall include:

* A description of site conditions;
* Detailed descriptions, design drawings, and specific topographic locations of all control measures in relation to the new overflow parking construction, which may include:
	+ Measures to divert runoff away from disturbed land surfaces;
	+ Measures to collect and filter runoff from disturbed land surfaces, including sediment ponds;
	+ Measures to dissipate energy and prevent erosion; and
	+ Measures to control hazardous materials and prevent construction-related pollutants from entering waterways;
* Revegetation measures for disturbed areas, which shall include use of native plants and locally sourced plants and seeds;
* A monitoring, maintenance, and reporting schedule; and
* Comments and recommendations made as part of consultation on Plan development and how the comments and recommendations were addressed in the Plan.

The Deputy Director may require modification as part of any approval. The Licensee shall file with FERC the Deputy Director-approved Plan and any approved amendments thereto. The Licensee shall implement the Plan upon receipt of Deputy Director and any other required approvals, in accordance with the schedule and requirements specified therein.

21. Upon request, the Licensee shall provide the U.S. Fish and Wildlife Service with any information that is in the Licensee’s possession and necessary for the completion of an updated Biological Opinion for the Pit 1 Project.

1. Formerly referred to as the “Chief of the Division of Water Rights.” All references to the “Chief of the Division of Water Rights” are synonymous with references to “Deputy Director of the Division of Water Rights” or “Deputy Director.” [↑](#footnote-ref-2)
2. Central Valley Regional Water Quality Control Board. 2018. *[The Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf)*. Fifth Edition. Revised May 2018 (with Approved Amendments). Available at: https://www.waterboards.ca.gov/centralvalley/water\_issues/basin\_plans/sacsjr\_201805.pdf. Last accessed June 16, 2021. [↑](#footnote-ref-3)
3. Formerly referred to as the California Department of Fish and Game. All references to the “California Department of Fish and Game” are synonymous with references to “California Department of Fish and Wildlife.” [↑](#footnote-ref-4)