



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Division of Water Rights
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Arnold Schwarzenegger
Governor

AUG 01 2007

To: Interested Parties

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION AND ISSUE WATER QUALITY CERTIFICATION FOR THE SPRING GAP-STANISLAUS PROJECT, FERC #2130

Pacific Gas and Electric Company (PG&E) has requested a new license from the Federal Energy Regulatory Commission (FERC) for the Spring Gap-Stanislaus Project (Project), located on the Middle and South Forks Stanislaus River in Tuolumne County. Before FERC can issue a new license for the Project, 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).

The State Water Board is the lead agency under the California Environmental Quality Act (CEQA), in connection with the proceeding to consider issuing a water quality certification for the Project. (Pub. Resources Code, §§ 21000-21177.) Under CEQA, a project may be analyzed for its incremental effects over existing baseline conditions. In an analysis of an existing hydroelectric project, reauthorizing the project will not yield many environmental impacts because most of the impacts have already occurred, and when compared to the existing condition, are not significant. Thus, most of the potentially significant impacts identified in the Initial Study/Environmental Checklist are associated with the proposed protection, mitigation, and enhancement measures, and are reduced to a level of less than significant with the implementation of mitigation measure(s) under various resource plans described in the Stanislaus Planning Action Team proposed measures, and other measure proposed by PG&E.

The State Water Board intends to adopt a mitigated negative declaration for this Project and is circulating this letter in accordance with the standards set forth in section 15072 of the California Code of Regulations, title 14. Members of the public and agencies have 30 days to submit comments to the State Water Board. **Comments must be received by close of business September 4, 2007.**

Copies of the Initial Study/Environmental Checklist and Proposed Mitigated Negative Declaration can be found on the Division of Water Rights web site at www.waterrights.ca.gov 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 calling Russ Kanz, Staff Environmental Specialist, at (916) 341-5341. 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
Sacramento, CA 95814
(916) 341-5341

California Environmental Protection Agency

To: Interested Parties

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Tuolumne County Library
Sonora Main Branch
480 Greenley Road
Sonora, CA 95370
(209) 533-1468

Comments can be submitted by letter or electronically 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, California 95812-2000
rkanz@waterboards.ca.gov

The State Water Board will hold a public meeting at the **Stanislaus National Forest Office, 19777 Greenley Road, Sonora, on August 24, 2007, at 1:00 p.m.** to discuss the Mitigated Negative Declaration, and answer any questions. Formal CEQA comments must be submitted in writing as indicated above.

While not legally required, the State Water Board is providing a draft water quality certification that includes the rationale used in the development of the conditions in the certification. Comments on the draft water quality certification will be accepted if received by the CEQA deadline to submit comments. 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 Resources Control Board intends to take action on the water quality certification for this Project after the end of the 30-day CEQA comment period.

Sincerely,



Leslie F. Grober, Manager
Hearings and Special Projects Section