

Notice of Determination

Appendix D

To: [X] Office of Planning and Research
For U. S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth Street Sacramento, CA 95814

From: State Water Resources Control Board
Division of Water Rights
1001 I Street, 14th Floor
Sacramento, CA 95814
Michael Maher, Project Manager
(916) 341-5408 or
MMaher@waterboards.ca.gov

Lead Agency (if different than above): Sacramento Municipal Utility District
Address: P.O. Box 15830, Mail Stop K203 Sacramento, CA 95852-0830
Contact: Mr. David Hanson
Phone: (916) 732-6703

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2008052009

Project Title: Upper American River Hydroelectric Project, FERC Project No. 2101

Project Title: Issuance of water quality certification for the Upper American River Hydroelectric Project (UARP)

Project Location (include county): The UARP is located in El Dorado and Sacramento Counties in the South Fork (SF) of the American River, Silver Creek and Rubicon River watersheds.

Project Description: The project is issuance of water quality certification for the Federal Energy Regulatory Commission (FERC) relicensing of the UARP, which is owned and operated by the Sacramento Municipal Utility District (SMUD). SMUD, as lead agency, prepared a Final California Environmental Quality Act (CEQA) Supplemental Analysis to the FERC/United States Forest Service Final Environmental Impact Statement (Final CEQA Supplement) for the UARP and filed a Notice of Determination on July 24, 2012. The State Water Resources Control Board (State Water Board) considered the Final CEQA Supplement during the development of its water quality certification for the UARP.

The UARP has been operating pursuant to its current FERC license since operations began in 1961 and consists of seven hydroelectric developments with a total of 11 reservoirs and eight powerhouses that together can generate up to 688 megawatts (MW) of electrical power. The UARP also includes 11 transmission lines with a combined length of 180 miles, about 28 miles of power tunnels/penstocks, one-1.9 mile long canal and about 700 developed public-use campsites. The UARP FERC boundary encompasses 6,375.2 acres of United States-owned land administered by the United States Department of Agriculture Forest Service as part of the Eldorado National Forest, and 53.9 acres of United States-owned land administered by the United States Bureau of Land Management. SMUD's FERC license application also includes the proposed Iowa Hill Development, a pumped-storage development that will entail the construction of an off-channel upper reservoir and underground powerhouse above the UARP's existing Slab Creek Reservoir, located on the SF American River near Camino.

SMUD, as part of a Settlement Agreement signed by resource agencies, conservation groups and other stakeholders, proposes to implement a set of environmental measures to minimize impacts and improve existing conditions in the vicinity of the UARP. These measures include, but are not limited to: increased instream flows; ramping rates; resource monitoring; adaptive management; streamflow and reservoir gaging; public information services; recreational streamflow requirements; improvements to recreation facilities; and measures that address the design and operation of the Iowa Hill development. While the water quality certification includes conditions that cover the operation of the Iowa Hill development, should the project be approved by SMUD, Iowa Hill construction activities may require additional environmental review and permitting.

OCT 04 2013

This is to advise that the State Water Resources Control Board has approved the above-described project on (Date)
[] Lead Agency [X] Responsible Agency

and has made the following determinations regarding the above-described project:

- 1. The Lead Agency for the UARP has found that the project [X] will [] will not have a significant effect on the environment.
2. [X] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not adopted for this project.
5. The Lead Agency for the UARP adopted a Statement of Overriding Considerations; because no unmitigated significant impacts were identified that fall within the State Water Board's approval authority, the State Water Board [] has [X] has not adopted a Statement of Overriding Considerations for this project.
6. Findings [X] were [] were not made by the Lead Agency pursuant to the provisions of CEQA.

This is to certify that the [X] Final CEQA Supplement with comments and responses [] Initial Study/Negative Declaration and record of project approval is available to the General Public at: State Water Board, Division of Water Rights, 1001 I Street, 14th Floor, Sacramento, CA 95814

Signature (Public Agency) Thomas Howard Title Executive Director

Date October 4, 2013 Date received for filing at OPR

Authority cited: Sections 21083, Public Resources Code. Reference Section 21000-21174, Public Resources Code.

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