
State Water Resources Control Board

February 11, 2025

Connor Foad, Project Manager
Pacific Gas and Electric Company
Sent via email: CJFF@pge.com

**Mokelumne River Hydroelectric Project
Federal Energy Regulatory Project No. 137
Alpine County
Middle Creek**

APPLICATION FOR WATER QUALITY CERTIFICATION FOR LOWER BLUE LAKE DAM SEEPAGE MITIGATION AND WEIR REPLACEMENT PROJECT

Dear Connor Foad:

On January 21, 2025, the State Water Resources Control Board (State Water Board) Executive Director received a water quality certification (certification) application from Pacific Gas and Electric Company (PG&E) for the Lower Blue Lake Dam Seepage Mitigation and Weir Replacement Project (Project), part of PG&E's Mokelumne River Hydroelectric Project (FERC Project No. 137), pursuant to section 401 of the Federal Clean Water Act (CWA). (33 U.S.C. § 1341.) This letter serves as notification that the Project's certification application is complete and pending before the State Water Board in accordance with section 3835, title 23 of the California Code of Regulations. The reasonable time period for action on the certification is expected to be one year from the date of application, January 21, 2026.

The certification is subject to completion of the environmental review process described below. In addition, PG&E is subject to annual fees as specified in California Code of Regulations, title 23, section 3833.1.

Clean Water Act Section 401 Certification

Section 401 of the CWA requires any applicant for a federal license or permit for an activity that may result in any discharge to navigable waters, to obtain certification from the State that the discharge will comply with the applicable water quality requirements, including the requirements of section 303 of the CWA (33 U.S.C. § 1313) for water quality standards and implementation plans, "or any other appropriate requirement of State law." (33 U.S.C. § 1341(d).) Conditions of certification shall become a condition of any federal license or permit subject to certification.

The application for certification, together with the other documents that are incorporated by reference in the certification application, meets the application filing requirements specified in California Code of Regulations, title 23, section 3856, and in the federal regulation applicable to state certification requests. (40 CFR § 121.5.) The State Water Board may request additional information to clarify, amplify, correct, or supplement the application contents, including evidence of compliance with appropriate requirements of applicable water quality control plans. (Cal. Code Regs., tit. 23, § 3836.)

A certification is issued when the State Water Board determines that an application for certification is complete and there is reasonable assurance that the project will comply with water quality standards and other appropriate requirements of state law. A determination to the contrary may result in denial of the certification application. (Cal. Code Regs., tit. 23, § 3837, subd. (b)(1).) State Water Board staff are available to discuss compliance with water quality standards and other requirements with PG&E, if desired.

California Environmental Quality Act

Issuance of a certification is a discretionary action under CEQA. (Pub. Resources Code, § 21000 et seq.) The State Water Board is the lead agency for the purpose of CEQA compliance.

Water Quality Control Plans

The State Water Board's certification must ensure compliance with water quality standards and other appropriate requirements of state law, including but not limited to those included in the Basin Plan. Water quality control plans designate the beneficial uses of water that are to be protected (such as municipal and domestic supply, power, recreational, and fish and wildlife beneficial uses), water quality objectives for the reasonable protection of the beneficial uses and the prevention of nuisance, and a program of implementation to achieve the water quality objectives. (Wat. Code, §§ 13241, 13050, subds. (h), (i).) The beneficial uses, together with the water quality objectives contained in water quality control plans, and applicable federal anti-degradation requirements, constitute California's water quality standards for purposes of the CWA.

If you have questions regarding this letter, please contact Chase McCormick, Project Manager, by email at Chase.McCormick@waterboards.ca.gov. Written correspondence or inquiries should be mailed to:

State Water Resources Control Board
Division of Water Rights – Water Quality Certification Program
Attn: Chase McCormick
P.O. Box 2000
Sacramento, CA 95812-2000

Sincerely,

Chase McCormick

Chase McCormick
Environmental Scientist
Water Quality Certification Program
Division of Water Rights

ec: Debbie-Anne Reese, Secretary
Federal Regulatory Energy Commission
Via eFiling to docket P-137-008

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