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## State Water Resources Control Board

### **NOTICE OF PREPARATION AND SCOPING MEETINGS FOR AN ENVIRONMENTAL IMPACT REPORT FOR THE KERCKHOFF HYDROELECTRIC PROJECT RELICENSING FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 96**

To: Interested Parties Mailing List and Office of Planning and Research

Notice is hereby given that the State Water Resources Control Board (State Water Board) plans to prepare an environmental impact report (EIR) for the Kerckhoff Hydroelectric Project Relicensing (Proposed Project).

**Applicant:** Pacific Gas and Electric Company

**Project Name:** Kerckhoff Hydroelectric Project Relicensing

**Project Location:** The Proposed Project is located on the San Joaquin River in Fresno and Madera counties. The nearest city is Auberry, approximately four miles northeast of Kerckhoff Dam.

#### **Overview**

Pursuant to the California Environmental Quality Act (CEQA)<sup>1</sup>, the State Water Board plans to prepare an EIR for the relicensing of Pacific Gas and Electric Company's (PG&E) Kerckhoff Hydroelectric Project. The Federal Energy Regulatory Commission (FERC) regulates existing and proposed operations of the Kerckhoff Hydroelectric Project (FERC Project No. 96).

**The State Water Board is seeking comments from trustee agencies, responsible agencies, tribes, and interested persons concerning the scope and content of the environmental information to be included in the EIR. Please send comments to Andrea Sellers, Project Manager, at the address shown in the *Submittal of Written Comments* section below.**

#### **Description of the Existing Kerckhoff Hydroelectric Project**

The Kerckhoff Hydroelectric Project is comprised of Kerckhoff Dam, Kerckhoff Reservoir, Kerckhoff 1 (K1) Powerhouse, Kerckhoff 2 (K2) Powerhouse, the Smalley Cove Recreation Area, and gages. Each of these elements is summarized below:

- **Kerckhoff Dam:** Kerckhoff Dam is a 114.5-foot-tall concrete arch dam located on the San Joaquin River. The dam has 14 radial gates with a combined discharge capacity of 43,700 cubic feet per second (cfs). Additionally, Kerckhoff Dam has a low-level outlet capable of releasing 3,900 cfs.

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<sup>1</sup> Pub. Res. Code, § 21000 et seq.

- **Kerckhoff Reservoir:** Kerckhoff Reservoir is formed by Kerckhoff Dam and has an estimated gross storage capacity of 4,252 acre-feet (ac-ft), which has been reduced to a usable storage capacity of 2,434 ac-ft due to sedimentation.
- **K1 Powerhouse:** K1 Powerhouse and associated facilities include: (1) an intake structure located approximately 200 feet upstream of Kerckhoff Dam near the south shore; (2) a 16,913-foot-long tunnel that conveys water from Kerckhoff Reservoir to K1 Powerhouse with a surge chamber and two penstocks; (3) K1 Powerhouse that includes two generating units with a combined 22.72 megawatt (MW) capacity; and (4) a switchyard. The K1 Powerhouse is located approximately eight miles downstream of Kerckhoff Dam. After passing through the powerhouse, water is discharged directly into the San Joaquin River.
- **K2 Powerhouse:** K2 Powerhouse and associated facilities include: (1) an intake structure located in the Kerckhoff Reservoir, approximately 100 feet upstream of the K1 intake structure; (2) a 21,632-foot-long tunnel that conveys water from Kerckhoff Reservoir to K2 Powerhouse with a surge chamber and one penstock; (3) K2 Powerhouse that includes one generating unit capable of generating 140 MWs; and (4) a switchyard. The K2 Powerhouse is located underground, approximately 9.8 miles downstream of Kerckhoff Dam, and 1.8 miles downstream from the K1 Powerhouse. After passing through the K2 Powerhouse, water is discharged into the San Joaquin River via a discharge tunnel and 531-foot-long channel.
- **Smalley Cove Recreation Area:** Smalley Cove is a recreation area located on the northeast end of Kerckhoff Reservoir and consists of: (1) Smalley Cove Campground; (2) Smalley Cove Day Use Area; and (3) access roads and a parking lot.
- **Existing Gages:** There are five existing gages associated with the Kerckhoff Hydroelectric Project. Existing gages include J-1 located at Kerckhoff Reservoir; J-2 located in the San Joaquin River downstream of Kerckhoff Dam; J-3 and J-7 located at the K1 Powerhouse; and J-6 located at the K2 Powerhouse.

Water passing through the K1 and K2 Powerhouses flows into the San Joaquin River and subsequently flows into Millerton Lake<sup>2</sup>, which is located approximately nine miles downstream of the K2 Powerhouse.

### **Proposed Project Description**

PG&E is requesting to relicense the Kerckhoff Hydroelectric Project for a 50-year-term. The Proposed Project involves continued operations with the following changes:

- **Proposed Project Boundary Updates**
  - The Proposed Project includes an overall reduction in the FERC boundary from 531.7 acres to 393.5 acres. The Proposed Project boundary will encompass 218.5 acres of federal land, 125.6 acres of PG&E-owned land, and 49.4 acres of privately owned land. Proposed Project boundary changes are as follows:
    - Reduce the buffer around, but still include the following elements: Kerckhoff Reservoir, Smalley Cove Recreation Area, K1 and K2

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<sup>2</sup> Millerton Lake is owned and managed by the Bureau of Reclamation and is the current limit of anadromous fish passage in the San Joaquin River.

Powerhouses and switchyards, and fiber optic lines running from the K2 switchyard to a substation near the K1 Headworks (a building located near the K1 Powerhouse);

- Eliminate the boundary associated with Access Road 6, which is shared with the public and the Bureau of Land Management. Access Road 6 will remain part of the Proposed Project.
- Expand the FERC boundary to encompass the existing J-2 streamflow gage (located downstream of Kerckhoff Dam);
- Expand the FERC boundary to encompass a small drainage area located 125-feet west of the K2 switchyard. The small drainage area allows for excess water to be released from the K2 penstock into the San Joaquin River during planned maintenance and emergency situations; and
- Expand the FERC boundary in several locations for vegetation management around Proposed Project facilities.

- **Proposed Updates to Project Facilities**

- K1 Powerhouse Retirement: The Proposed Project includes retirement of the K1 Powerhouse and its associated facilities. Some facilities associated with K1 Powerhouse, such as the powerhouse building, will be retained for future operations and maintenance while the headworks structures will be removed. With retirement of K1 Powerhouse the Kerckhoff Hydroelectric Project's total energy production will decrease by 22.72 MWs per year resulting in a new installed capacity of 140 MWs. PG&E has not operated the K1 Powerhouse since 2017.
- Vista Day Use Area: The Proposed Project includes construction of a new recreation facility that will be named the Vista Day Use Area, which will be located in the vicinity of the K2 Powerhouse.
- New Streamflow Gage: The Proposed Project includes installation of a new streamflow gage that will be located on the San Joaquin River above the Kerckhoff Reservoir and below Dam 7 of the Big Creek No. 4 Hydroelectric Project to help inform PG&E of flow releases from the dam.

- **Proposed Project Measures**

- The Proposed Project includes new measures and plans designed to protect, maintain, and enhance environmental, recreational, and cultural resources during the new license term. Proposed measures and plans include:
  - American Shad Spawning Season Flow Release Regime Measure: This measure includes the release of additional flow from either Kerckhoff Dam or the K2 Powerhouse into the San Joaquin River to support American shad spawning annually from May 15 through June 30.
  - Aquatic Resources Plan: This plan includes monitoring for fish, the mussel community, and water temperature.
  - Water Temperature Measure: This measure includes the release of additional flow from Kerckhoff Dam to maintain a maximum weekly average water temperature of  $\leq 25^{\circ}\text{C}$  (degrees Celsius) and

a daily maximum temperature of  $\leq 30^{\circ}\text{C}$ , as measured at Gage J-7, for the protection of native fish species, including hardhead.

- End-of-Spill Flow Recession and Whitewater Flow Releases Measure: This measure includes the release of an annual end-of-spill flow recession in conjunction with, and immediately following, the whitewater boating flow release to the San Joaquin River below Kerckhoff Dam. The end-of-spill flow recession and whitewater boating flow releases will be scheduled to occur between May 1 and August 31 of each year during the final end-of-spill flow recession when flow is forecast by PG&E to decrease below 2,500 cfs. The whitewater boating flow release will consist of two days (9:00 a.m. to 6:00 p.m.) with target flows of 2,500–2,000 cfs on the first day and 2,000–1,600 cfs on the second day. The end-of-spill flow recession will immediately follow the whitewater boating flows and occur over four days with seven ramp downs, ending at the minimum instream flow.
- Subsequent Spill Ramp Down Measure: This measure includes a ramp down to minimum instream flows to avoid stranding of aquatic resources associated with spills at Kerckhoff Dam that occur following the End-of-Spill Flow Recession Measure (bullet directly above) through October 31. Such spills are likely to result from high flows associated with releases from the upstream Big Creek No. 4 Hydroelectric Project.
- Spill Season Flow Measure: This measure includes the release of a 500 cfs minimum flow to deter the recreating public from entering the water between March 1 and August 31 when Kerckhoff Dam is intermittently spilling. The Spill Season Flow Measure also includes a ramp down once spill has subsided and flows can be reduced to the minimum instream flow.
- Planned Outage Measure: This measure includes actions to notify the public and manage the timing of increased flow releases during planned outages of K2 Powerhouse.
- Flow Notification Measure: This measure provides notification requirements associated with flow deviations.
- San Joaquin River Above Kerckhoff Reservoir Inflow Gage Measure: This measure includes installation and operation of a new stream gage to monitor flows in the San Joaquin River above Kerckhoff Reservoir.
- Modification of Infrastructure and Procedures Measure: This measure involves PG&E completing infrastructure upgrades within four years of license issuance to comply with flow management measures.
- Wildlife Management Plan: This plan includes actions PG&E will implement to minimize potential effects on wildlife resources during Proposed Project operations, construction activities, and routine and non-routine maintenance.
- Vegetation Management and Pest Control Plan: This plan includes actions PG&E will implement for invasive weed management,

vegetation and fuels management, and the protection of environmental and cultural resources during these activities throughout the license term.

- Project Road and Trail Maintenance Plan: This plan includes measures PG&E will implement to maintain Proposed Project roads and trails in good condition while ensuring safe access and environmental protections.
- Recreation Management Plan: This plan includes actions PG&E will implement to manage the Project's recreation facilities throughout the license term. The goals of this plan include: (1) provide for public safety; (2) manage public recreation use; and (3) eliminate or minimize effects on environmental and cultural resources.
- Whitewater Notification and Access Measure: This measure provides (on the two recreation boating days per year) escorted pedestrian boater access past Kerckhoff Dam and a trail assessment to inform development and implementation of a Stream Gage Access Trail Plan that will identify trail upgrades needed to improve safety for whitewater boating access.
- Historic Properties Management Plan: This plan includes actions PG&E will implement to preserve cultural and tribal resources in the Area of Potential Effects.

### **Scoping Meetings**

The State Water Board will hold scoping meetings to provide information about the Proposed Project, the CEQA process, and to receive written or oral comments from trustee agencies, responsible agencies, Tribes, and other interested persons concerning the range of alternatives, potential significant effects, and mitigation measures that should be analyzed in the EIR. The time allotted for each individual or organization to provide oral comments may be limited if the number of people in attendance so requires. Scoping meetings may conclude early if the comment portion of the meeting concludes prior to the scheduled end of the meeting. The scoping meetings will be recorded and documented by transcript.

**The scoping meetings will be held virtually via Zoom as follows:**

**June 15, 2023**

**from 12:00 p.m. (noon) – 2:00 p.m.**

**<https://waterboards.zoom.us/j/94173676955>**

Call-in number: +1 669 900 9128 US

Meeting ID: 941 7367 6955

**June 15, 2023**

**from 5:30 p.m. – 7:30 p.m.**

**<https://waterboards.zoom.us/j/94606050470>**

Call-in number: +1 669 900 9128 US

Meeting ID: 946 0605 0470

If you have questions concerning these meetings or would like to make a request for reasonable accommodations for a disability, please contact Andrea Sellers, Project Manager, by email to: [Andrea.Sellers@waterboards.ca.gov](mailto:Andrea.Sellers@waterboards.ca.gov).

### **Submittal of Written Comments**

The State Water Board is seeking comments from trustee agencies, responsible agencies, Tribes, and interested persons concerning the scope and content of the environmental information to be included in the EIR. Please provide the name and contact information for a person that may be contacted if there are questions about the comment(s). **The comment deadline is 5:00 pm on July 3, 2023.** Please send your comments to Andrea Sellers, Project Manager, at:

**Email (preferred):**

[Andrea.Sellers@waterboards.ca.gov](mailto:Andrea.Sellers@waterboards.ca.gov)

or

**Mail:**

Andrea Sellers  
State Water Resources Control Board  
Division of Water Rights – Water Quality Certification Program  
P.O. Box 2000  
Sacramento, CA 95812-2000

### **State Water Board's Water Quality Certification**

Section 401 of the Clean Water Act (33 U.S.C. § 1341) requires every applicant for a federal license or permit that may result in a discharge into navigable waters to provide the federal licensing or permitting agency with certification that the project will comply with state water quality standards and other relevant requirements of state law. Section 401 provides that conditions of certification shall become conditions of any federal license or permit for the project. The State Water Board is the agency in California that is responsible for issuing section 401 certifications for hydroelectric facilities licensed by FERC. (Wat. Code, § 13160; Cal. Code Regs., tit. 23, § 3855, subd. (b).)

When the State Water Board considers issuing a water quality certification for a project it evaluates whether the project will comply with applicable water quality standards and other requirements of state law and determines conditions necessary to protect water quality. In California, water quality standards are established in regional water quality control plans and state water quality control plans or policies. Water quality control plans designate the beneficial uses of waters to be protected and establish the water quality objectives necessary to protect those uses, as required under section 303 of the Clean Water Act (33 U.S.C. § 1313) and sections 13240 and 13241 of the California Water Code.

The State Water Board may issue a certification if it determines that the Proposed Project will comply with specified provisions of the Clean Water Act, including water quality standards and implementation plans, and other appropriate requirements of state law. The State Water Board must determine whether the Proposed Project adequately protects the beneficial uses and meets the water quality objectives for waterbodies in the Proposed Project area. Pertinent beneficial uses and water quality

objectives are listed in the Central Valley Regional Water Quality Control Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (Basin Plan). Additional information concerning the Basin Plan and designated beneficial uses are available at the [Central Valley Regional Water Quality Control Board's Basin Planning webpage](#)<sup>3</sup>.

### **CEQA Information**

Issuance of a water quality certification is a "discretionary action" requiring compliance with CEQA. (Pub. Resources Code, § 21000 et seq.) The State Water Board, as lead agency under CEQA, plans to prepare a draft EIR for the Proposed Project.

#### *Environmental Factors Potentially Affected*

The EIR will evaluate potentially significant impacts of the Proposed Project in a wide range of resource areas. The State Water Board has identified the following list of environmental factors potentially affected by the Proposed Project.

- **Biological Resources**
  - The Proposed Project has the potential to affect, either directly or through habitat modifications, species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Service.
- **Hydrology/Water Quality**
  - The Proposed Project has the potential to violate water quality standards or waste discharge requirements.
  - The Proposed Project has the potential to expose people or structures to a significant risk of loss, injury, or death.
- **Recreation**
  - The Proposed Project has the potential to include recreational facilities or require the construction or expansion of recreational facilities that may have an adverse physical effect on the environment.
  - The Proposed Project has the potential to impact the safety and availability of contact recreation and non-contact recreation.
- **Greenhouse Gases**
  - The Proposed Project has the potential to generate greenhouse gas emissions, either directly or indirectly, which may have an adverse effect on the environment.

### **Federal Energy Regulatory Commission Process**

FERC is the federal agency that regulates the construction, operation, and decommissioning of most non-federal hydroelectric dams in the United States. On November 20, 2020, PG&E filed a final license application (FLA) with FERC for the Proposed Project, which PG&E has supplemented in later FERC filings. Any conditions included in a State Water Board-issued water quality certification for the Proposed

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<sup>3</sup> [http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml)

Project will become conditions of any new FERC license issued for the Kerckhoff Hydroelectric Project.

***KEEP INFORMED OF PROPOSED PROJECT MILESTONES***

To receive emails related to the Kerckhoff Hydroelectric Relicensing Project and other projects pursuing certifications managed by the Division of Water Rights, interested persons should enroll in the "Water Rights Water Quality Certification" e-mail notification service. Instructions on how to sign up for the State Water Board's Email Subscription List are outlined below:

1. Visit the [State Water Board's Email Subscription Updates webpage](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml#rights) at: [http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml#rights](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml#rights)
2. Provide your email in the required fields, then click the "Submit" button.
3. In the next page, below Subscription Topics, select "Water Rights," then "Water Rights Water Quality Certification".
4. Click the "Submit" button.
5. An email will be sent to you. You must respond to the email message to confirm your membership on the selected Topic(s).

By enrolling in this email list, you will receive notices for other current projects in the Division of Water Rights' Water Quality Certification Program, including the Kerckhoff Hydroelectric Relicensing Project. If you do not have internet access or do not wish to participate in the email notification list, you may contact Andrea Sellers by phone at (916) 327-8449 and leave a message to request to receive notices by mail. You can enroll or un-enroll from the email notification service at any time.

**Questions and Additional Information**

If you have questions regarding this notice the best means of contact is by email. General questions regarding the water quality certification and CEQA processes for the Proposed Project should be directed to Andrea Sellers, Project Manager, by email at: [Andrea.Sellers@waterboards.ca.gov](mailto:Andrea.Sellers@waterboards.ca.gov), or by phone call to: (916) 327-8449.

Additional information regarding the Proposed Project is available on the [State Water Board's Project webpage](#)<sup>4</sup>.

Sincerely,

*Parker Thaler*

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Parker Thaler  
Water Quality Certification Program Manager  
Division of Water Rights

*5/30/2023*

\_\_\_\_\_  
Date

<sup>4</sup> [www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/kerckhoff\\_hydroelectric\\_ferc96.html](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/kerckhoff_hydroelectric_ferc96.html)



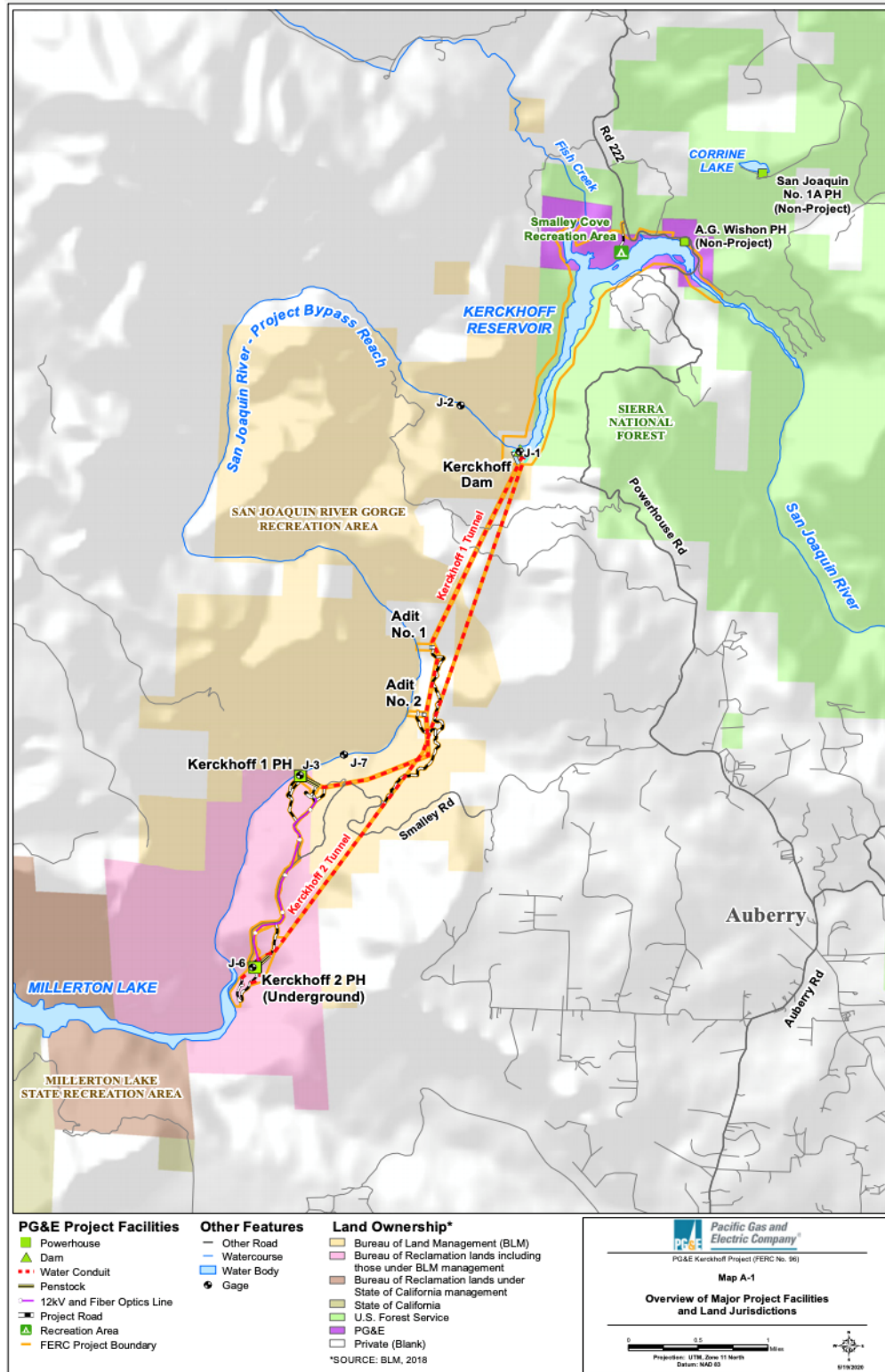


Figure 1. Project Location Map<sup>5</sup>

<sup>5</sup> Source: PGE’s FLA available at: [https://www.pge.com/en\\_US/safety/electrical-safety/safety-initiatives/kerckhoff-relicensing/kerckhoff-relicensing-project.page](https://www.pge.com/en_US/safety/electrical-safety/safety-initiatives/kerckhoff-relicensing/kerckhoff-relicensing-project.page). Accessed on May 30, 2023.