



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

OCT 21 2016

Mr. Michael Carrier, President
Klamath River Renewal Corporation
423 Washington Street, 3rd Floor
San Francisco, CA 94111

Dear Mr. Carrier:

REQUEST FOR WATER QUALITY CERTIFICATION FOR THE KLAMATH RIVER RENEWAL CORPORATION'S LOWER KLAMATH PROJECT, FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 14803, SISKIYOU COUNTY

Thank you for your application requesting water quality certification (certification) pursuant to section 401(a)(1) of the Federal Clean Water Act (CWA) (33 U.S.C. § 1341 et seq.) for the Lower Klamath Project's (Project) Federal Energy Regulatory Commission (FERC Project No. 14803) license surrender process. The application, received September 23, 2016, serves as a formal request for certification of the Project. Certification is required prior to issuance of a FERC license surrender order for the Project. The Klamath River Renewal Corporation's application initiates a one-year deadline from the date it was received for the State Water Resources Control Board (State Water Board) to act on the request for certification. The certification is subject to completion of the environmental review process described below. The Klamath River Renewal Corporation will be subject to annual fees as specified in California Code of Regulations, title 23, section 3833(b)(1). The deadline for certification action is September 23, 2017.

Clean Water Act Section 401 Certification

Section 401 of the CWA requires any applicant for a federal license or permit, which may result in any discharge to navigable waters, to obtain certification from the State that the discharge will comply with the applicable water quality standards. Under section 303 of the CWA and under the Porter-Cologne Water Quality Control Act, the North Coast Regional Water Quality Control Board adopted, and the State Water Board and United States Environmental Protection Agency approved, the *Water Quality Control Plan for the North Coast Region (Basin Plan)*. The Basin Plan designates the beneficial uses of waters to be protected along with the water quality objectives necessary to protect those uses for the Klamath River. If the Project does not comply with one or more of the water quality objectives or criteria, the Klamath River Renewal Corporation must describe the actions that it will take to bring its Project into compliance with the applicable water quality limits in order to fully protect and maintain the beneficial uses.

The application for certification, together with the FERC license surrender application, supplemental submittals, and other documents from the FERC files that are incorporated as attachments in the certification application, meet the application filing requirements specified in California Code of Regulations, title 23, section 3856. The State Water Board may request additional information to clarify, amplify, correct, or otherwise supplement the contents of the application. Supplemental information may include evidence of compliance with the Basin Plan. (Cal. Code Regs., tit. 23, § 3836.)

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR