



State Water Resources Control Board

February 1, 2023

Ms. Laura Hazlett, Chief Operating Officer
Klamath River Renewal Corporation
Sent via Email: lhazlett@klamathrenewal.com

**Lower Klamath Project License Surrender
Federal Energy Regulatory Commission Project No. 14803
Siskiyou County
Klamath River and associated tributaries**

APPROVAL OF UPDATED MANAGEMENT PLANS FOR LOWER KLAMATH PROJECT LICENSE SURRENDER

Dear Ms. Hazlett:

In December 2022, the Klamath River Renewal Corporation (KRRRC) submitted a request to the State Water Resources Control Board (State Water Board) Deputy Director of the Division of Water Rights (Deputy Director), for review and approval of updates to the following 11 plans required by the water quality certification (certification)¹ for the Lower Klamath Project License Surrender (Project):

- California Water Quality Monitoring Plan (Condition 1)
- California Sediment Deposit Remediation Plan (Condition 4)
- Tributary-Mainstem Connectivity Plan (Condition 6)
- Juvenile Salmonids and Pacific Lamprey Rescue and Relocation Plan (Condition 6)
- California Remaining Facilities Plan (Condition 7)
- California Waste Disposal Plan (Condition 11)
- Hatcheries Management and Operations Plan (Condition 13)
- Reservoir Area Management Plan (Condition 14)
- California Water Supply Management Plan (Condition 15)
- California Slope Stability Monitoring Plan (Condition 18)
- Recreation Facilities Plan (Condition 19)

The KRRRC proposed updates to these 11 plans to satisfy the requirements of the amended certification and the Federal Energy Regulatory Commission's (FERC) November 17, 2022 license surrender order.

¹ The Project certification was issued by the Executive Director on April 7, 2020, and amended on November 3, 2022.

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State Water Board staff reviewed the KRRC's proposed updates to the plans. The plan updates submitted on December 22, 2022, comply with the certification requirements and are hereby approved with the following conditions:

- California Waste Disposal Plan: If the final proposal for placement of fill in the Copco No. 2 tailrace falls outside of the locations and type of fill allowed by the Project certification, the KRRC shall submit the proposed changes for Deputy Director review and approval prior to implementing the Copco No. 2 tailrace work.
- California Water Supply Management Plan: As noted in Condition 15 of the certification, the outreach effort related to groundwater well owners accessing the Local Impact Mitigation Fund for groundwater well impacts shall include information regarding the Local Impact Mitigation Fund, including information on any prerequisites to access the fund (e.g., if funding is dependent on participation in the groundwater monitoring effort). Outreach shall be to all residents and landowners within 1,000 feet of the California Project reservoirs.

On January 12, 2023, staff provided the KRRC with an overview of certification-related items that need to be completed in advance of initiating drawdown, which is currently anticipated in January 2024. As noted in that overview, per Condition 10 of the certification, the KRRC must comply with the State Water Board's Construction General Permit². Additionally, for any ground disturbing activity that has the potential to impact water quality and is not otherwise addressed in other conditions of the certification, the KRRC must develop a site-specific water quality monitoring and protection plan (WQMPP) for Deputy Director review and approval. Examples of activities that require the development of a WQMPP include activities such as Ward's Canyon-related work and building the access construction pads below the spillway that are not otherwise covered under the Construction General Permit.

If you have questions regarding this letter, please contact Philip Meyer, by email at: Philip.Meyer@waterboards.ca.gov. Written correspondence should be directed to: State Water Resources Control Board; Division of Water Rights – Water Quality Certification Program; Attn: Philip Meyer; P.O. Box 2000; Sacramento, CA 95812-2000.

Sincerely,



Erik Ekdahl
Deputy Director

² National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (State Water Board Order 2009-0009-DWQ, as amended by State Water Board Orders 2010-0014-DWQ, 2012-0006-DWQ, and 2022-0057- DWQ, as applicable, and ongoing amendments during the life of the Project).

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ec: Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
Via e-filing to FERC Docket P-14803-001

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Document Content(s)

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