



Oregon

John A. Kitzhaber, MD, Governor

Department of Environmental Quality
Northwest Region Portland Office/Water Quality
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Certified Mail; Return Receipt Requested

August 6, 2013

Julie Keil, Director
Hydro Licensing and Water Rights
Portland General Electric Company
121 SW Salmon Street
Portland, OR 97204

Re: Clackamas River Hydroelectric Project License Amendment, FERC Project No. 2195
Certification Pursuant to Section 401 of the Federal Clean Water Act

Dear Ms. Keil:

Portland General Electric Company proposes to add small generating units at four locations on the Clackamas River hydroelectric project. PGE's application for a license amendment is pending with the Federal Energy Regulatory Commission (FERC).

On April 10, 2013 PGE submitted a "Request for Determination Pursuant to ORS 468B.045" requesting that DEQ determine that the project will continue to comply with the June 2009 water quality certificate. In support of this determination PGE provided its application for amendment of license with DEQ as well as a revised water quality monitoring and management plan. On May 7, 2013 PGE resubmitted the revised water quality monitoring and management plan with additional revisions.

Pursuant to ORS 468B.045, DEQ evaluated the letter request indicating that FERC was considering a license application related to a change to a proposed hydroelectric project that was previously certified by DEQ, and determined that DEQ must either approve or deny a certification after soliciting comments from all affected state agencies and making certain findings. Accordingly, DEQ evaluated the application for amendment of license and the revised water quality monitoring and management plan for consistency with the applicable provisions of the Clean Water Act Sections 301, 302, 303, 306 and 307; Oregon Administrative Rules (OAR) chapter 340, divisions 041 and 048; Oregon Revised Statute (ORS) 543A.025 (2) to (4) and other appropriate requirements of state law.

Based on PGE's application, DEQ's Evaluation and Findings Report (enclosed) and consideration of public comment, DEQ grants conditional Clean Water Act Section 401 certification for the amendment to the Clackamas River Hydroelectric Project. DEQ is reasonably assured that operations under the FERC license amendment will be consistent with provisions of the Clean Water Act Sections 301, 302, 303, 306 and 307, state water quality standards, and other appropriate requirements of state law, provided the Section 401 certification conditions attached to this certification are met.

The Section 401 certification is valid for the Clackamas River hydroelectric project only and is not transferable without written approval from DEQ. OAR 340-048-0042(6).

In accordance with the Administrative Procedures Act (chapter 183, Oregon Revised Statutes) and OAR 340-048-0045(2), PGE, if dissatisfied with the conditional Section 401 certification, may request a hearing before the Environmental Quality Commission. Your request for a hearing must be made in writing to the Department of Environmental Quality within 20 days of the date of mailing of this certification. OAR 340-011-0530(1). You may mail your request for a hearing to:

Oregon Department of Environmental Quality
Attn: Marilyn Fonseca
811 SW 6th Avenue
Portland, OR 97204

If a request for hearing is not received within this 20-day period, your right to a hearing shall be considered waived. If you request a hearing, you will be notified of the time and place of the hearing. You may be represented by legal counsel at the hearing. You will be provided information on the procedures, right of representation and commencement of the hearing. Any hearing will be conducted pursuant to the rules of the Environmental Quality Commission for contested cases.

Sincerely,



Nina DeConcini
Northwest Region Administrator

Attachment: Clean Water Act Section 401 Conditions
Enclosures: Evaluation and Findings Report
Water Quality Monitoring and Management Plan

Ec: Marilyn Fonseca, ODEQ
Avis Newell, ODEQ
Mary Grainey, OWRD
Ken Homolka, ODFW
Anika Marriott, ODOJ