



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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PUBLIC NOTICE

Announcing Ecology's Draft Clean Water Act Section 401 Certification for Meyers Falls Hydroelectric Project

Proposed Project

Hydro Technology Systems Inc. (HTS) requested a Washington State Department of Ecology (Ecology) Clean Water Act (CWA) Section 401 certification on May 1, 2023, for the following Federal Energy Regulatory Commission (FERC) License:

- Meyers Falls Hydroelectric Project – License No. 2544

The Meyers Falls Hydroelectric Project License No. 2544 allows for discharges associated with dam activity under a CWA 401 water quality certification on the Colville River in northeast Washington.

Ecology must respond to HTS's request of water quality certification by May 1, 2024.

Purpose of the License

The FERC License No. 2544 would replace the existing license once finalized. The existing license was issued for a thirty-year license term in 1993 with FERC authorizing a one year license extension until December 2024. This license would authorize discharges associated from pass-through water for the dam and powerhouse building into the waters of Washington State.

Purpose of the 401 Certifications

Section 401 of the CWA provides that the federal government may not issue a license relating to any activity which may result in any discharge into the navigable waters until a certification is granted or waived by the state in which the discharge originates, or will originate.

The state certification evaluates whether the discharge will comply with the applicable provisions of sections 301, 302, 306, and 307 of the CWA and appropriate requirements of state law. Ecology will review the 401 certification application documents pursuant to Section 401 of the CWA, and with applicable provisions of State water pollution control laws. Any water quality conditions included in the 401 certification then become conditions in the federal license.

Ecology Contact

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Submitting Comments

The public, state and local agencies, tribes, and other interested parties may submit comments based on Ecology's [draft 401 certification](#) developed for Meyers Falls Hydroelectric Project to ensure compliance with state water quality regulations. Ecology will accept comments until midnight, April 6, 2024. Ecology prefers comments be submitted electronically via the online portal. Alternatively, comments may be supplied by email or in a letter format mailed directly to Ecology.

Submit comments online (preferred method):

<https://wq.ecology.commentinput.com/?id=3RbYFUJ9c>

Submit comments by mail to:

Jordan Bauer
Washington State Department of Ecology
Eastern Regional Office
4601 N. Monroe Street
Spokane, Washington 99205

You must provide comments before midnight, April 6, 2024. Written comments must be postmarked no later than midnight, April 6, 2024.