



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

May 27, 2010

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Order No. 7792 Amending Water Quality Certification for the Spokane River
Hydroelectric Project License FERC No. 2545

Dear Secretary Bose:

Enclosed is Order No. 7792 Amending Water Quality Certification for the Spokane River Hydroelectric Project License (FERC No. 2545). The amendments are shown as track changes in the attached document. No other conditions or requirements of Order No. 6702 (dated May 8, 2009) are affected by this amendment.

All correspondence relating to this document should be directed to:

Marcie Mangold
Water Quality Program
Department of Ecology
4601 N. Monroe Street
Spokane, Washington 99205

Please contact Marcie Mangold by phone at (509) 329-3450 or by email at dman461@ecy.wa.gov if you have questions concerning the content of the document.

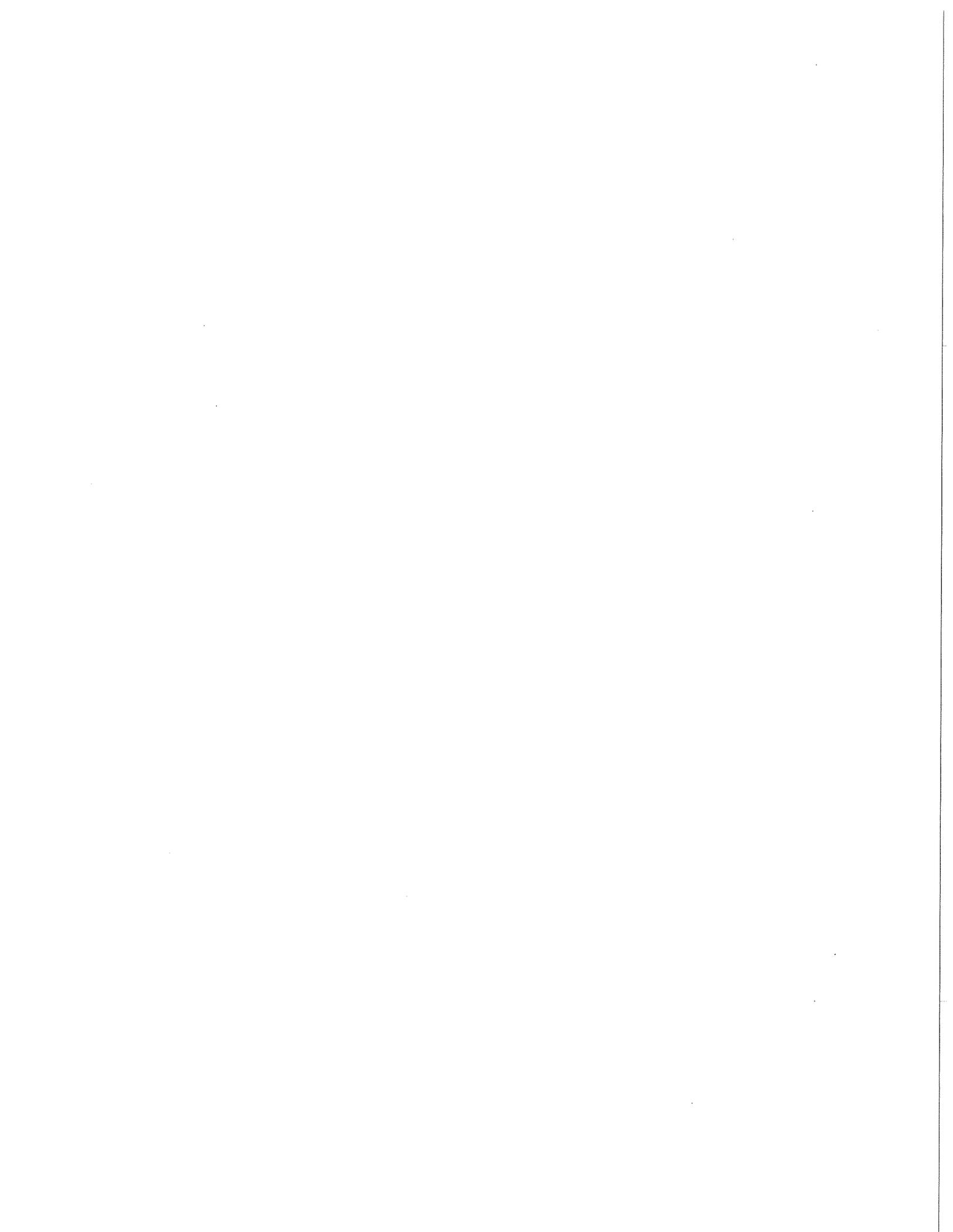
Sincerely,

James M. Bellatty
Section Manager
Water Quality Program

JMB:DM:dw

CERTIFIED MAIL: 7003 1680 0007 1587 6023





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

IN THE MATTER OF GRANTING A) Order No. 7792
WATER QUALITY CERTIFICATION to) Amending Section 401 Certification
Avista Corporation) For Relicensing of the Spokane River
in accordance with 33 U.S.C. §1341) Hydroelectric Project (FERC No.2545)
FWPCA § 401, RCW 90.48.260) issued under Order No. 6702
and WAC 173.201A

To: Mr. Elvin Fitzhugh, License Manager
Avista Corporation
P.O. Box 3727
Spokane, WA 99220-3727

The following changes to Order No. 6702 (section 401 certification for the relicensing of the Spokane River Project), were made as a result of the approval of the Total Maximum Daily Load (TMDL) for Dissolved Oxygen (D.O.) on the Spokane River according to section 5.1.M.(iv) and section 5.6.C. of the 401 certification.

Section 5.6 Dissolved Oxygen A. General Conditions and C. Lake Spokane: page 46 and 54 of Order No. 6702 dated May 8, 2009 are hereby amended:

5.6 Dissolved Oxygen

A. General Conditions

The primary purpose of the following conditions is to achieve water quality numeric criteria for DO, in order to protect beneficial uses. The Project shall comply with the standards found in WAC 173-201A, as further described in this Certification.

Upon completion of the ten year compliance period, the Licensee shall operate the Project in full compliance with the state water quality standards.

Ecology has developed a Total Maximum Daily Load for Dissolved Oxygen in the Spokane River (DO TMDL). As part of that process, Ecology has determined the Project's contribution to the DO problem in the Spokane River, and the Licensee's proportional level of responsibility for control measures. The Project's dissolved oxygen responsibility for Lake Spokane can be found in the Spokane River/Lake Spokane Dissolved Oxygen Water Quality Improvement Report, www.ecy.wa.gov/biblio/0710073.html.

C. Lake Spokane

Within two years of the effective date of this amendment, the Licensee shall develop a DO WQAP for review and approval by Ecology, in accordance with WAC 173-201A-510(5).

The DO WQAP will provide a detailed strategy to address the Licensee's proportional level of responsibility, based on its contribution to the dissolved oxygen problem in Lake Spokane as determined in the DO TMDL.

No other conditions or requirements of Order No. 6702 are changed by this amendment.

The entire text of Amended Order No. 7792 is contained in the enclosure. All changes made under this Order are shown in strikethrough and/or underlined. If any discrepancy exists between the above description of the text of this order and the enclosure, the text of Order No. 7792 shall prevail.

Amended Order No. 7792

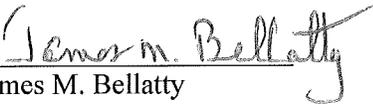
May 27, 2010

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Right to appeal these amendments

These amendments to the original order (not the original order) may be appealed. Your appeal must be filed within thirty days of the date of issuance of the amended Order. The appeal must be sent to the Washington Pollution Control Hearings Board, Post Office Box 40903, Olympia, Washington 98504-0903. At the same time, a copy of the appeal must be sent to the Department of Ecology, Fiscal Office, P.O. Box 47615, Olympia, Washington 98504-7915. In addition, send a copy to Marcie Mangold, Department of Ecology, 4601 N. Monroe Street, Spokane, Washington 99205. The notice of appeal shall contain a copy of the amended Order. Your appeal alone will not stay the effectiveness of this amended Order. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Chapter 43.21B RCW.

DATED this 27th day of May 2010 at Spokane, Washington.


James M. Bellatty
Water Quality Section Manager
Eastern Regional Office