



California Regional Water Quality Control Board

Santa Ana Region



Matthew Rodriquez
Secretary for
Environmental Protection

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Edmund G. Brown Jr.
Governor

September 6, 2011

Hazem Gabr
Southern California Edison
1218 S. Fifth Ave.
Monrovia, CA 91016

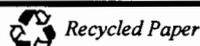
**CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS
CERTIFICATION FOR THE VALLEY-IVYGLEN SUBTRANSMISSION LINE
PROJECT, COUNTY OF RIVERSIDE, CALIFORNIA (ACOE REFERENCE NO. NOT
AVAILABLE) (SARWQCB PROJECT NO. 332011-05)**

Dear Mr. Gabr:

On May 3, 2011, we received an application for Clean Water Act Section 401 Water Quality Standards Certification ("Certification") from Southern California Edison for the installation of an additional subtransmission line project "...to improve reliability and meet projected electrical load requirements in the Western Riverside County area." This letter responds to your request for certification that the proposed project, described in your application and summarized below, will comply with State water quality standards outlined in the Water Quality Control Plan for the Santa Ana River Basin (1995) (Basin Plan) and subsequent Basin Plan amendments:

Project Description: Construction and subsequent maintenance of an additional subtransmission line, parallel to an existing line. The new line will be installed in an existing SCE right-of-way (ROW) where available, and new ROWs where none exist. Tubular steel poles will be bolted to a steel-reinforced (rebar) concrete footings or caissons, approximately 6 feet in diameter and at least 22 feet deep below the ground surface. Access roads and spur roads will be required for construction and maintenance of the proposed subtransmission line. Road construction/improvements will involve grading approximately 16 foot wide roadways to allow access to pole locations. Two 18-inch diameter by 30-foot long culvert structures will be installed to allow for construction traffic usage as well as to prevent road damage and erosion due to uncontrolled water flow. The work will take place within Section 18, of Township 2 South, Range 3 West, of the U.S. Geological Survey *Romoland and Lake Elsinore* quadrangle maps (33.99250° N/ 117.23090° W).

California Environmental Protection Agency



Receiving water: San Jacinto River, Unnamed tributaries to San Jacinto River

Fill area: 0.348 acres of permanent impact to riparian habitat, 0.221 acres of temporary impact to riparian habitat; 0.045 acres of permanent impact to streambed habitat, 0.064 acres of temporary impact to streambed habitat

Dredge/Fill volume: Soil: 174 cubic yards of soil for road construction, equipment access and culvert construction
Sandbags: 252 cubic yards for culvert construction
Riprap (gabion metres): 64 cubic yards for culvert construction
Concrete or gravel: 206 cubic yards for pole footing for caisson placement in flood plain of San Jacinto River

Federal permit: U.S. Army Corps of Engineers Nationwide Permit No. 12

You have proposed to mitigate water quality impacts as described in your Certification application. The proposed mitigation is summarized below:

Onsite Water Quality Standards Mitigation Proposed:

- Standard water quality related best management practices (BMPs) will be employed during construction activities.
- Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats.
- Erodible fill material shall not be deposited into water courses.
- Brush, loose soils, or other similar debris shall not be stockpiled within the stream channel or on its banks.

Offsite Water Quality Standards Mitigation Proposed:

- Mitigation will be provided at a 3:1 ratio, for permanent impacts totaling 0.393 acre to riparian and streambed habitat within the project area. The applicant will purchase 1.179 acres of banking credits at Skunk Hollow – Barry Jones Wetland Mitigation Bank. Although the Skunk Hollow-Barry Jones Wetland Mitigation Bank is not located within this Regional Board's jurisdictional boundaries, it was concluded that this venue would be best suited for mitigating impacts to habitats within the project area. This was only determined after efforts were made by the applicant to identify in-kind mitigation close to the project and within the jurisdictional boundaries of this Region.

Should the proposed project impact state- or federally-listed endangered species or their habitat, implementation of measures identified in consultation with U.S. Fish and Wildlife Service and the California Department of Fish and Game will ensure those impacts are mitigated to an acceptable level. Appropriate BMPs will be implemented to reduce construction-related impacts to Waters of the State according to the requirements of Order No. R8-2010-0033 (NPDES Permit No. CAS618033), commonly known as the Riverside County Municipal Storm Water Permit, and subsequent iterations thereof. Order No. R8-2010-0033 requires that you substantially comply with the requirements of State Water Resources Control Board's General Permit for Storm Water Discharges Associated with Construction Activity.

Pursuant to California Code of Regulations, Title 14, Chapter 3, Section 15096, as a responsible agency, the Regional Board is required to consider an EIR or MND prepared by the lead agency in determining whether to approve a project. A responsible agency has responsibility for mitigating and avoiding only the direct and indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve. Further, the responsible agency must make findings as required by Sections 15091 and, if necessary, 15093, for each and every significant impact of the project.

As required by Section 15096, the Regional Board has considered the EIR prepared for the proposed project, which was certified by California Public Utility Commission (CPUC) and filed on August 12, 2010. The Regional Board has also considered information provided subsequently in Southern California Edison's application, in approving this Certification.

This 401 Certification is contingent upon the execution of the following conditions:

- 1) The applicant must comply with the requirements of the applicable Clean Water Act section 404 permit.
- 2) Proposed mitigation shall be timely implemented. Materials documenting the purchase of necessary mitigation credits shall be provided to this office prior to the discharge of fill to, or the dredging or excavation of material from, waters of the state.
- 3) All materials generated from construction activities associated with this project shall be managed appropriately. This shall include identifying all potential pollution sources within the scope of work of this project, and incorporating all necessary pollution prevention BMPs as they relate to each potential pollution source identified.

- 4) The project proponent shall utilize BMPs during project construction to minimize the controllable discharges of sediment and other wastes to drainage systems or other waters of the state and of the United States.
- 5) Substances resulting from project-related activities that could be harmful to aquatic life, including, but not limited to, petroleum lubricants and fuels, cured and uncured cements, epoxies, paints and other protective coating materials, portland cement concrete or asphalt concrete, and washings and cuttings thereof, shall not be discharged to soils or waters of the state. All waste concrete shall be removed.
- 6) Motorized equipment shall not be maintained or parked within or near any stream crossing, channel or lake margin in such a manner that petroleum products or other pollutants from the equipment may enter these areas under any flow conditions. Vehicles shall not be driven or equipment operated in waters of the state on-site, except as necessary to complete the proposed project. No equipment shall be operated in areas of flowing water.
- 7) This Water Quality Certification is subject to the acquisition of all local, regional, state, and federal permits and approvals as required by law. Failure to meet any conditions contained herein or any the conditions contained in any other permit or approval issued by the State of California or any subdivision thereof may result in the revocation of this Certification and civil or criminal liability.
- 8) A copy of this Certification and any subsequent amendments must be maintained on site for the duration of work as a denoted element of any project SWPPP or WQMP.
- 9) Best management practices to stabilize disturbed soils must include the use of native plant species whenever feasible.
- 10) Applicant shall ensure all procedures and policies specified within the project's WQMP, shall adequately address any hydraulic conditions of concern generated during and as a result of this project.
- 11) Construction de-watering discharges, including temporary stream diversions necessary for project construction may be regulated under Regional Board Order No. R8-2009-0003, General Waste Discharge Requirements for Discharges to Surface Waters that Pose an Insignificant (De Minimus) Threat to Water Quality. For more information, please review Order No. R8-2009-0003 at www.waterboards.ca.gov/santaana/

Under California Water Code, Section 1058, and Pursuant to 23 CCR §3860, the following shall be included as conditions of all water quality certification actions:

- (a) Every certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section §13330 of the Water Code and Article 6 (commencing with Section 3867) of this Chapter.
- (b) Certification is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a FERC license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to Subsection §3855(b) of this Chapter and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- (c) Certification is conditioned upon total payment of any fee required under this Chapter and owed by the applicant.

If the above stated conditions are changed, any of the criteria or conditions as previously described are not met, or new information becomes available that indicates a water quality problem, the Regional Board may require the applicant to submit a report of waste discharge and obtain Waste Discharge Requirements.

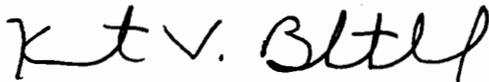
In the event of any violation or threatened violation of the conditions of this certification, the holder of any permit or license subject to this certification shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification. Violations of the conditions of this certification may subject the applicant to civil liability pursuant to Water Code section 13350 and/or 13385.

This letter constitutes a Water Quality Standards Certification issued pursuant to Clean Water Act Section 401. I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of Sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law.

This discharge is also regulated under State Water Resources Control Board Order No. 2003-0017-DWQ (Order No. 2003-0017-DWQ), "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received Water Quality Certification" which requires compliance with all conditions of this Water Quality Standards Certification. Order No. 2003-0017-DWQ is available at: www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo_2003-0017.pdf

Should there be any questions, please contact Marc Brown at (951) 321-4584, or Mark Adelson at (951) 782-3234.

Sincerely,



Kurt V. Berchtold
Executive Officer
Santa Ana Regional Water Quality Control Board

cc (via electronic mail):

U. S. Army Corps of Engineers, Los Angeles Office – Jason Lambert
Department of Fish and Game – Joanna Gibson
State Water Resources Control Board, Office of Chief Counsel – David Rice
State Water Resources Control Board DWQ – Water Quality Certification Unit
U.S. EPA – Supervisor of the Wetlands Regulatory Office WTR- 8
Dudek – Wendy Worthey – wworthey@dudek.com

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