



Colorado River Basin Regional Water Quality Control Board

Certified Mail: **7018 1830 0001 0265 2501**

October 6, 2021

Craig Geldard, Manager
Environmental Management Transmission Projects
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NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER 2004-0004-DWQ, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DREDGED OR FILL DISCHARGES TO WATERS DEEMED BY THE U.S. ARMY CORPS OF ENGINEERS TO BE OUTSIDE OF FEDERAL JURISDICTION, PACIFIC GAS AND ELECTRIC- D-1250 NATURAL GAS PIPELINE 300A DIG PROJECT (WDID 7A363033001), SAN BERNARDINO COUNTY

On August 26, 2021, Pacific Gas and Electric (PGE or Permittee) submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order 2004-0004-DWQ, *Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction*.

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) has reviewed your enrollment materials and finds that the dredge/fill discharges associated with the D-1250 (ID-239G-1) Natural Gas Pipeline 300A Dig Project, MP 16.21 (Project) meet the requirements for enrollment. You are hereby enrolled under Order 2004-0004-DWQ and may proceed with the Project in accordance with the Order.

A copy of [Order 2004-0004-DWQ](#) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) can be found on the State Water Board's Adopted Orders webpage.

Please familiarize yourself with the requirements of Order 2004-0004-DWQ. You are responsible for complying with all applicable order requirements. Failure to comply with Order 2004-0004-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

NANCY WRIGHT, CHAIR | PAULA RASMUSSEN, EXECUTIVE OFFICER

A. PROJECT DESCRIPTION, IMPACTS, AND MITIGATION:

The purpose of the Project is to repair one of PGE's natural gas pipelines (L-300A) in San Bernardino County, in an area southwest of the City of Needles. The repair work involves excavation of one primary bell hole measuring 10 foot wide-by-12 foot long-by-8 foot deep, two 8 foot-by-8 foot potholes, and potentially two 6 foot-by-6 foot contingency sniff holes to repair the underground pipeline. The primary bell hole excavation will be within an unnamed wash (ephemeral stream). The two potholes and two contingency sniff hole excavations will be outside of the stream bed. All repair work will be completed during the dry season.

All excavations will require the use of shoring due to the soil structure. Stockpile and equipment staging areas will be located outside of the wash. The use of the existing access road may be necessary to support travel of vehicles or equipment across the wash. No gravel or rock will be added.

Prior to the crew excavation at the site, the perimeter of the work area, which includes areas inside and outside the wash, will have ERTEC biological fencing installed that will remain in place for the duration of the Project. A 6-inch wide by 6-inch deep trench will be excavated, the fence installed, then immediately backfilled to support the fence. A biological monitor will be present for all construction related activities and to spot check the site on non-construction days until the work is complete and the fence removed. Once the repair work has been completed, the work crew will restore the area to pre-project conditions.

The unnamed ephemeral stream where the primary bell hole will be excavated is a water of the state. The Project will temporarily impact a total of 0.07 acres/56 linear feet of the ephemeral stream as a result of dredge and fill.

PGE will implement measures to protect the desert tortoise (*Gopherus agassizii*) and Mohave ground squirrel (*Xerospermophilus mohavensis*), other wildlife, and habitat. Standard best management practices such as biodegradable fiber roll to contain sediment, revegetation of any disturbed areas, and monitoring will be used to protect ecological resources. PGE will also implement the measures outlined in their California Department of Fish and Wildlife Incidental Take Permit and U.S. Fish and Wildlife Service Biological Opinion issued for the Project.

B. PROJECT LOCATION:

The Project is located approximately 8 miles southwest of the town of Needles. The Project site can be accessed by traveling south from Needles on Highway 95 for about 7.5 miles, turning west onto an unnamed dirt access road, and traveling approximately 7 miles west. The latitude and longitude of the Project site is listed below. Maps showing the Project location and photographs are found in Attachment A of this Order.

Project Site	Latitude	Longitude
ID-239G-1	34.675441° N	-114.751188° W

C. APPLICATION FEE RECEIVED:

A fee of \$ 2,066 was received on September 24, 2021.

The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category A – Fill and Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

On July 2, 2018, California Department of Fish and Wildlife, as lead agency, adopted an initial study/mitigated negative declaration (IS/MND) (State Clearinghouse [SCH] Number 2018061004) for the Project and filed a Notice of Determination (NOD) at the SCH on July 6, 2018.

As a responsible agency, the Colorado River Basin Water Board has reviewed and considered the environmental document prepared by San Bernardino County and finds that it addresses the Project's water resource impacts. (California Code of Regulations, title 14, § 15096, subd. (h).) Pursuant to CEQA, the Colorado River Basin Water Board has made Findings of Facts (Findings) which support the issuance of this Order and are included in Attachment B.

E. AVOIDANCE AND MINIMIZATION MEASURES:

The Permittee must implement the avoidance and erosion control methods as proposed in the Project application, as well as comply with all applicable requirements in Order 2004-0004-DWQ.

F. TERMINATION OF COVERAGE:

Upon completion of the Project, the Permittee shall submit a complete Notice of Termination (NOT) requesting to be disenrolled under Order 2004-0004-DWQ. Attachment 2 to Order 2004-0004-DWQ contains the NOT form.

If you have questions concerning this matter, please contact Kai Dunn, 401 Water Quality Certification Program Manager, at (760) 776-8986 or at Kai.Dunn@waterboards.ca.gov.

Sincerely,

Original Signed By

Paula Rasmussen
Executive Officer
Colorado River Basin
Regional Water Quality Control Board

Pacific Gas and Electric
D-1250 Natural Gas Pipeline
300A Dig Project

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October 6, 2021

Enclosures: 1) Attachment A Project Maps
2) Attachment B CEQA Findings
3) Order No. 2004-0004-DWQ

KD/

cc via email: Leah Parrilla, Land Planner, Pacific Gas and Electric,
leah.parrilla@pge.com

File: 7A363033001, RM 444797, Pacific Gas and Electric, D-1250 (ID-239G-1) Natural Gas Pipeline 300A Dig Project, MP 16.21, Order 2004-0004-DWQ

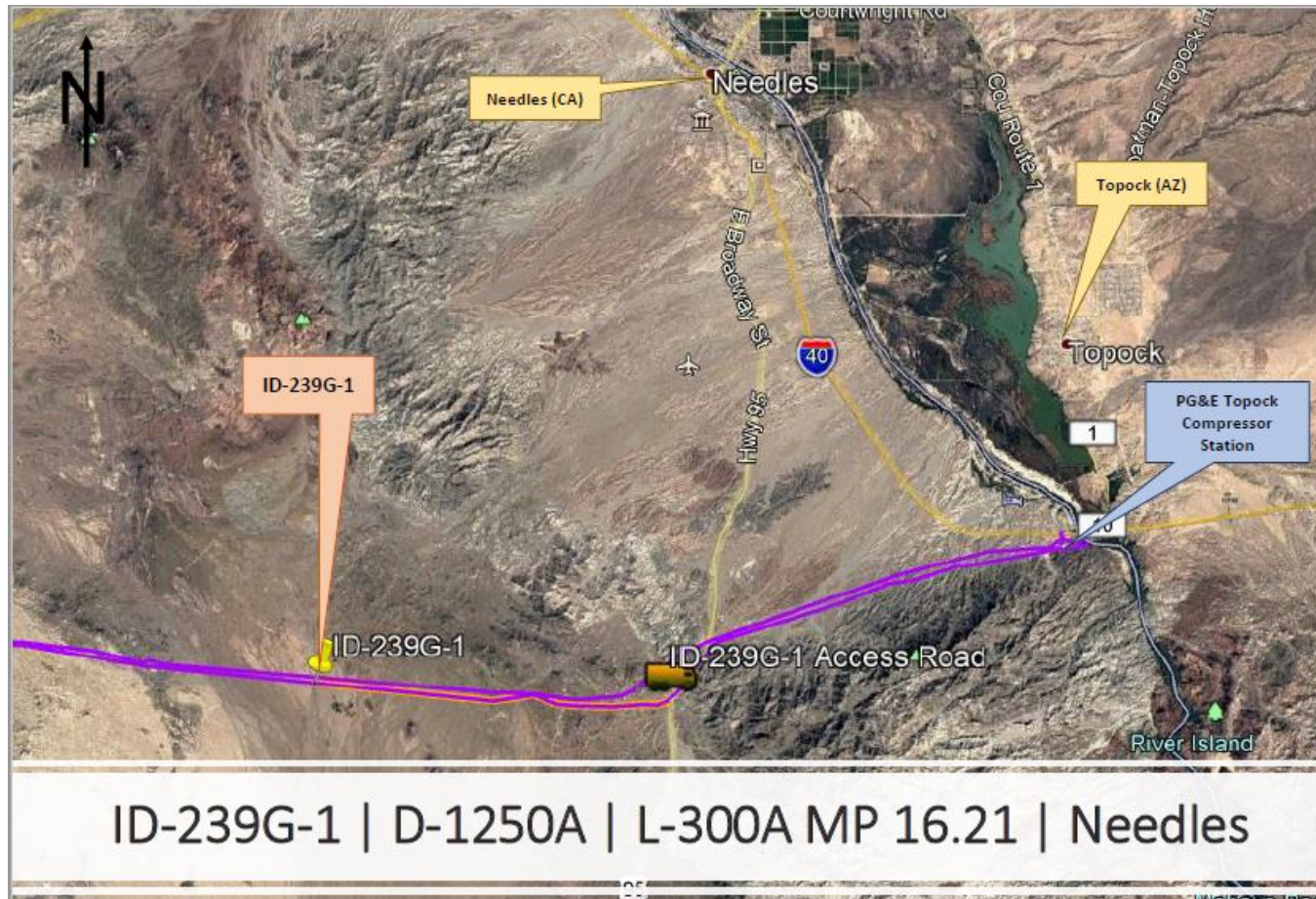


Figure 1 - Project overview map (PGE, 2021).¹

¹ Pacific Gas and Electric, September 2021. Notice of Intent (NOI) for the Pacific Gas and Electric D-1250 (ID-239G-1) Natural Gas Pipeline 300A Dig Project, MP 16.21

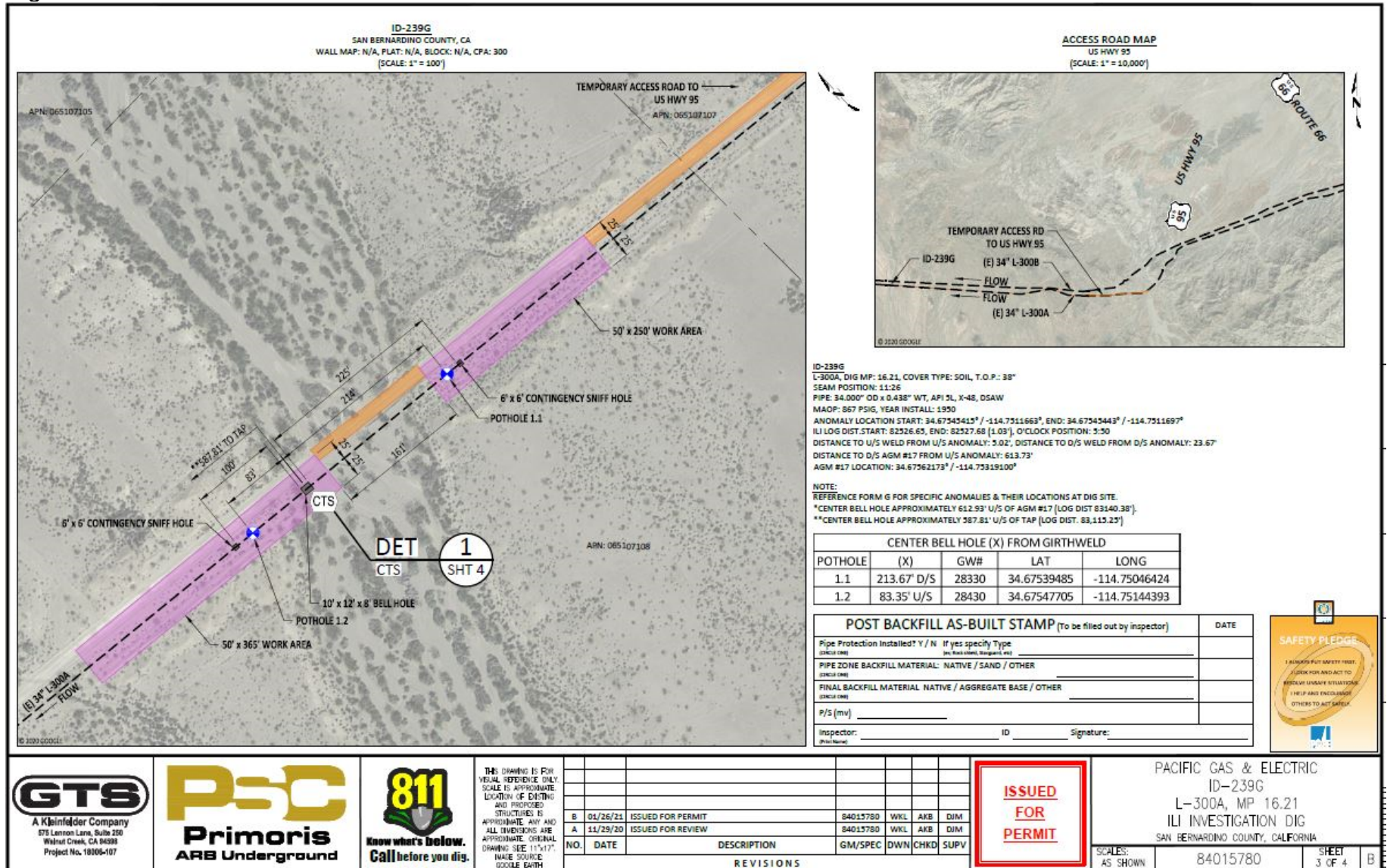


Figure 2 - Map of work area ID-239G-1 (PGE, 2021).

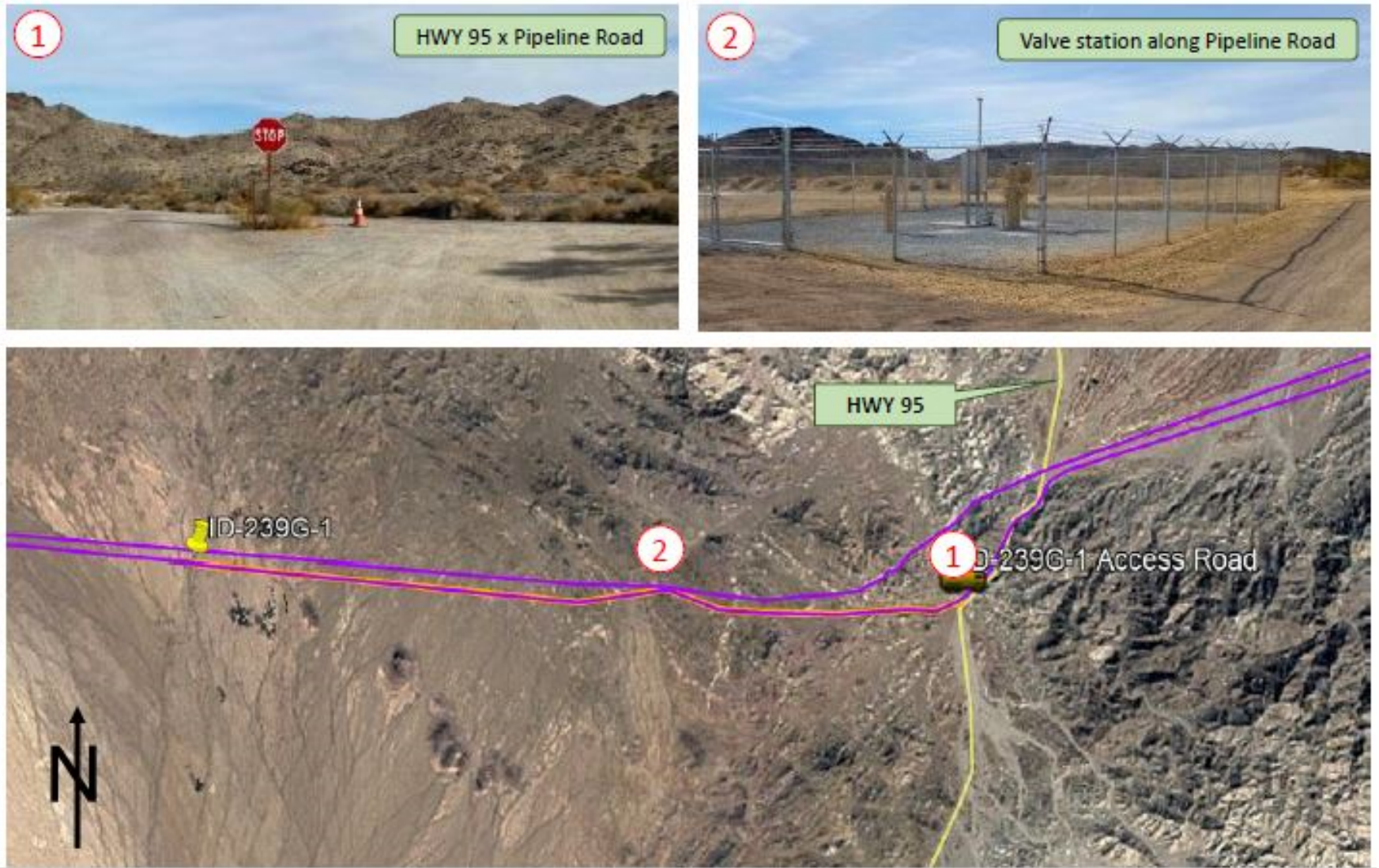


Photo Exhibit 1 – Photos of the Project area from key observation points (PGE, 2021).

ID-239G (D-1250) WORK AREA

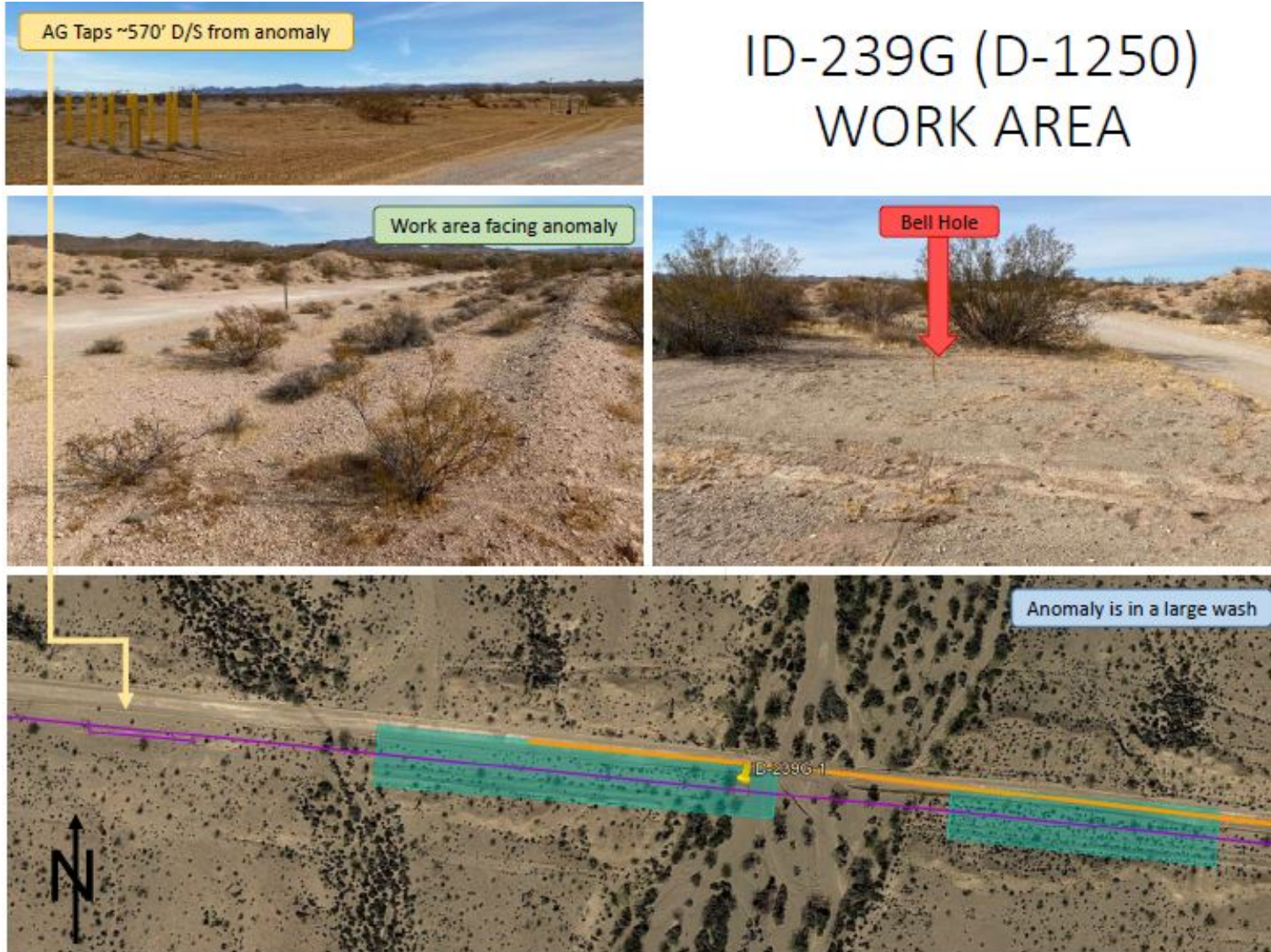


Photo Exhibit 2 – Photos of the ID-239G-1 work area (PGE, 2021).

A. Environmental Review

On July 2, 2018, California Department of Fish and Wildlife, as lead agency, adopted an initial study/mitigated negative declaration (IS/MND) (State Clearinghouse [SCH] Number 2018061004) for the Project and filed a Notice of Determination (NOD) at the SCH on July 6, 2018.

The Colorado River Basin Water Board is a responsible agency under CEQA (Pub. Resources Code, § 21069) and in making its determinations and findings, must presume that the Permittee's adopted environmental document comports with the requirements of CEQA and is valid (Public Resources Code, §§ 21080.1(a), 21167.2). The Colorado River Basin Water Board has reviewed and considered the environmental document and finds that the environmental document prepared by the Permittee addresses the Project's water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd. (f).) The environmental document includes the mitigation measures developed by the Permittee that have been adopted for the Project to reduce potential significant impacts. (Pub. Resources Code, § 21081.6, subd. (a)(1); Cal. Code Regs., tit. 14, § 15091, subd. (d).)

B. Incorporation by Reference

Pursuant to CEQA, these Findings of Facts (Findings) support the issuance of this Order based on the approved IS/MND, MMRP, and the application for this Order. All CEQA project impacts are analyzed in detail in the IS/MND which is incorporated herein by reference. The IS/MND is available at: 3602 Inland Empire Blvd, Suite C-220, Ontario, California, 91764.

The Permittee's application for this Order, including all supplemental information provided, is incorporated herein by reference.

C. Findings and Determination

The IS/MND describes the potential significant environmental effects to water resources that were mitigated in the IS/MND. Having considered the whole of the record, the Colorado River Basin Water Board has determined that there is no substantial evidence that the Project or any of its aspects could result in significant adverse impacts to water resources, when implemented in accordance with the mitigation measures required in MMRP and the conditions in this Order. (Cal. Code Regs., tit. 14, § 15096, subd. (h).)