



Linda S. Adams  
Secretary for  
Environmental Protection

**California Regional Water Quality Control Board  
North Coast Region**

**Geoffrey M. Hales, Acting Chairman**

www.waterboards.ca.gov/northcoast  
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403  
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135



**Arnold  
Schwarzenegger**  
Governor

January 7, 2010

---

---

In the Matter of

**Water Quality Certification**

For the

**PG&E – HUMBOLDT 60KV POWER LINE, POLE 0/7 REPLACEMENT  
WDID NO. 1B09136WNHU**

APPLICANT: Pacific Gas and Electric Company  
RECEIVING WATER: Wetlands  
HYDROLOGIC UNIT: Eureka Plain Hydrologic Unit No. 110.00  
COUNTY: Humboldt  
FILE NAME: PG&E – Humboldt 60kV Power Line, Pole 0/7 Replacement

---

---

BY THE EXECUTIVE OFFICER:

1. On November 16, 2009, Pacific Gas and Electric Company (Applicant) filed an application for water quality certification (certification) under section 401 of the Clean Water Act (33 U.S.C. § 1341) with the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) for activities associated with replacing an existing power line pole in wetlands near the community of King Salmon. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on December 14, 2009, and posted information describing the project on the Regional Water Board's website. We did not receive any public comments on this project.
2. The project is located east of the Humboldt Bay Power Plant, between South Broadway Street and Humboldt Hill Road. The purpose of the project is to replace an existing deteriorated wood power pole (pole 0/7) with the same size pole in essentially the same location. The project involves accessing the existing pole location from 5900 Humboldt Hill Road with either a conventional line truck equipped with an auger or tracked equipment if wet soil conditions preclude wheeled vehicle access. Wetland protection matting will be used if necessary.
3. A new 2-foot diameter hole will be dug immediately adjacent to the existing pole and a new power pole of the same diameter will be set in the hole. Small rock will be

**California Environmental Protection Agency**

Recycled Paper

used to partially backfill the new hole to provide stability for the new pole in the wetland environment. Spoils from the new hole will be used for the remaining backfill around the new pole. The old pole will be removed and the resulting hole will be backfilled with remaining soil from the new pole installation. Trimming of vegetation within a 10-foot radius of the pole site may be required.

4. The new pole will have the same footprint area as the removed pole so the project will not result in additional permanent impacts to wetlands. Auguring the hole for the new pole will result in temporary impacts to approximately 10 square feet of wetlands. Compensatory mitigation is not required for the project. Noncompensatory mitigation includes the use of BMPs for erosion control including covering and reseeded exposed soils. Temporary impacts to wetlands are expected to be restored to pre-project conditions within one year. The project is scheduled for September 2010, which is expected to be the driest time of year in the wetland. The project is expected to take less than one day to complete.
5. The Applicant plans to perform the project in accordance with the non-reporting provisions of the United States Army Corps of Engineers' Nationwide Permit No. 12, pursuant to Clean Water Act, section 404. A Lake or Streambed Alteration Agreement from the California Department of Fish is not required.
6. The Regional Water Board, as the lead California Environmental Quality Act (CEQA) agency, has determined that this project qualifies for a Categorical Exemption, section 15302 – replacement or reconstruction, pursuant to CEQA.
7. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification," which requires compliance with all conditions of this water quality certification.

Receiving Water: Wetlands in the Eureka Plain Hydrologic Unit No. 110.00

Filled or Excavated Area: Area Temporarily Impacted: 10 square feet of wetlands  
Area Permanently Impacted: None

Total Linear Impacts: Length Temporarily Impacted: None  
Length Permanently Impacted: None

Dredge Volume: None

Latitude/Longitude: 40.73806 N/124.20141 W

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the Pacific Gas and Electric Company – Humboldt 60kV Power Line, Pole 0/7 Replacement Project (WDID No. 1B09136WNHU), as described in the application, will comply with sections 301, 302, 303, 306 and 307 of the Clean Water Act, and with

applicable provisions of state law, provided that the Applicant complies with the following terms and conditions:

1. This certification action is subject to modification or revocation upon administrative or judicial review; including review and amendment pursuant to Water Code section 13330 and title 23, California Code of Regulations, section 3867.
2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to title 23, California Code of Regulations, section 3855, subdivision (b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. This certification is conditioned upon total payment of any fee required under title 23, California Code of Regulations, section 2200, and owed by the Applicant.
4. The Regional Water Board shall be notified in writing at least five working days (working days are Monday – Friday) prior to the commencement of ground disturbing activities, with details regarding the construction schedule, in order to allow staff to be present onsite during construction, and to answer any public inquiries that may arise regarding the project.
5. The Applicant shall provide a copy of this Order and the application documents submitted for this certification to all contractors and subcontractors conducting the work, and a copy of the Order shall remain at the work site during project activities. The Applicant shall be responsible for work conducted by its contractors or subcontractors.
6. All activities and BMPs shall be implemented according to the submitted application and the conditions in this certification.
7. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete the project. No mature trees shall be removed.
8. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, other than that authorized by this Order, shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State. When operations are completed, any excess material or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream.
9. If, at any time, an unauthorized discharge to surface water (including wetlands, rivers or streams) occurs, or any water quality problem arises, the Applicant shall

cease the associated project activities immediately until adequate BMPs are implemented. The Regional Water Board shall be notified promptly and in no case more than 24 hours after the unauthorized discharge or water quality problem arises.

10. Prior to implementing any change to the project that may have a significant or material effect on the findings, conclusions, or conditions of this Order, the Applicant shall obtain the written approval of the Regional Water Board Executive Officer. Implementation of such change in the project prior to Regional Water Board notification and approval is a violation of this Order subject to enforcement action under the Water Code.
11. The Regional Water Board may add to or modify the conditions of this Order, as appropriate, to implement any new or revised water quality standards and implementation plans adopted and approved pursuant to the Porter-Cologne Water Quality Control Act or Section 303 of the Clean Water Act.
12. The Applicant shall provide Regional Water Board staff access to the project site to document compliance with this certification.
13. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under applicable State or federal law. For the purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification. In response to a suspected violation of any condition of this certification, the Regional Water Board may require the holder of any federal permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Water Board deems appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In response to any violation of the conditions of this certification, the Regional Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.
14. In the event of any change in control of ownership of land presently owned or controlled by the Applicant, the Applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board at the above address.

To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, and the address and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must also describe any changes to the project proposed by the successor-in-interest or

confirm that the successor-in-interest intends to implement the project as described in this Order.

15. This certification is contingent on compliance with all applicable requirements of the North Coast Water Quality Control Plan, except as may be modified by the specific conditions of the certification.
16. The authorization of this certification for any dredge and fill activities expires on January 7, 2015. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

If you have any questions or comments please call Dean Prat at (707) 576-2801.

---

Catherine Kuhlman  
Executive Officer

010710\_DLP\_pg&e\_humpole07rplc\_401cert.doc

Original to: Mr. Jesus Viscara, Pacific Gas and Electric Company, 350 Salem Street,  
Chico, CA 95928

Copies to: U.S. Army Corps of Engineers, District Engineer, 601 Startare Drive, Box  
14, Eureka, CA 95501  
Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions,  
1455 Market Street, San Francisco, CA 94103-1398