

**Santa Ana Regional Water Quality Control Board**

August 10, 2015

Mr. Kevin Kuennen  
Project Manager Gas Transmission  
Southern California Gas Company  
251 East First Street  
Beaumont, California 92223

[KKuennen@semprautilities.com](mailto:KKuennen@semprautilities.com)

**CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS  
CERTIFICATION FOR SOUTHERN CALIFORNIA GAS COMPANY, LINE 2000  
EXPOSURE REPAIR PROJECT, CITY OF MORENO VALLEY, RIVERSIDE COUNTY,  
CALIFORNIA (USACOE FILE NO. NOT AVAILABLE) (SARWQCB PROJECT NO.  
332015-09)**

Dear Mr. Kuennen,

On April 1, 2015, we received from the Southern California Gas Company (SoCalGas) (Applicant) an application requesting Clean Water Act Section 401 Water Quality Standards Certification ("Certification") for a project in the City of Moreno Valley. The proposed project (Project) is to restore cover over an exposed natural gas pipeline located within a tributary of the Perris Valley Storm Drain (also known as the Perris Valley Storm Drain), which flows into the Reach 3 of the San Jacinto River, and to protect the pipeline from damage due to storm events, vandalism, and corrosion. On February 13, 2014, the Applicant submitted a check for \$200.00, with an application for coverage under the General 401 Water Quality Certification Order No. SB12002GN for 2012 Nationwide Permits. The Project was found to not qualify under Order No. SB12002GN, however, the fees paid satisfy this Project's fee requirement for consideration of a 401 Certification. This fee amount was determined using the Dredge and Fill Fee Calculator on the State Water Resources Control Board (SWRCB) web site, which is based on the most current iteration of California Code of Regulations, Division 3, Chapter 9, Article 1, Section 2200 (a) (3).

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:** SoCalGas is proposing to place approximately 2,240 square feet of articulating concrete revetment mattresses over an exposed section of Line 2000 at an unnamed channel. After completion of activities, the Project entails restabilizing the unnamed channel at that location by recontouring the east and west banks to their historical contours. The Project also entails armoring 70 linear feet of the east and west banks with Longitudinal Peaked Stone Toe Protection to prevent future erosion within the right-of-way.

The work will take place within Sections 16 of Township 3 South, Range 3 West, of the U.S. Geological Survey *Sunnymead, California* 7.5 minute topographic quadrangle maps (33.9175° N/ -117.2000° W).

**Receiving water:** Unnamed tributary of the Perris Valley Storm Drain, a tributary to Reach 3 of the San Jacinto River. Intermittent beneficial use designations include: agricultural supply (AGR), groundwater recharge (GWR), contact recreation (REC1), non-contact recreation (REC2), warm freshwater habitat (WARM), and wildlife habitat (WILD).

**Fill area:**

Temporary Impact to Waters of the United States	0.07 acre	120 linear feet
Permanent Impact to Waters of the United States	0.02 acre	70 linear feet

**Dredge/Fill volume:** N/A

**Federal permit:** U.S. Army Corps of Engineers Permit Nationwide 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.

- Temporary impact areas will be restored to pre-construction contours as indicated in the Project description above.

Offsite Water Quality Standards Mitigation Proposed:

- The Project Applicant will mitigate 0.07 acres of permanent impacts at a 1:1 ratio through the purchase of 0.07 acres of mitigation credit in the Barry Jones Wetland Mitigation Bank.

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 Wildlife 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. 2012-0006-DWQ, the State Water Resources Control Board's General Permit for Storm Water Discharges Associated with Construction Activity.

This 401 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 conditions contained in any other permit or approval for this project issued by the State of California, or any subdivision thereof, may result in appropriate enforcement action, including imposition of administrative civil liability.

Regional Board staff has determined that the proposed Project meets the criteria for categorical exemptions, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15300.2, and qualifies for a Class 1 exemption pursuant to CEQA Guidelines Section 15301 (Existing Facilities). Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Acting on behalf of the Santa Ana Regional Water Quality Control Board, Southern California Gas Company, will file a Notice of Exemption for the project with the Clerk of the County of Riverside.

**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) 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 Storm Water Pollution Prevention Plan (SWPPP).

- 3) Proposed mitigation shall be implemented in a timely manner. A copy of the receipt from the purchase of mitigation credits shall be provided to the Santa Ana Regional Board prior to the discharge of fill to, or the dredging or excavation of material from, waters of the State.
- 4) The Applicant shall complete post-construction stream morphology monitoring (protocols follow) within 30 days following completion of construction activities, and shall continue the monitoring for a period of three years post-construction. The yearly stream morphology monitoring results will be summarized in a monitoring report to be submitted to the Regional Board prior to June 1. If significant erosion occurs in the monitoring area, the monitoring requirements may be extended by Regional Board staff. Both photographic and stream measurement control points will be established within the unnamed tributary to the Perris Valley Storm Drain at 25- and 50-foot intervals upstream and downstream of the Project site. An additional control point will be established at zero feet (i.e., at the Project site). At each control point, global positioning system (GPS) coordinates will be obtained, and four photographs will be taken—upstream, downstream, east bank and west bank of the unnamed tributary. Bank width measurements will be taken at each of the five control points. The distance will be measured from the Ordinary High Water Mark (OHWM) from the east to the west bank with the use of a measuring tape. A second measurement will be taken by holding the measuring tape approximately four feet above the channel bottom and measuring the distance from the east to the west bank. Bank depth measurements will be taken at each of the five control points. The distance will be measured from the top of bank to the OHWM. The stream will be surveyed upstream and downstream to determine if channel metamorphosis is occurring as a result of the pipeline protection structures that were installed.
- 5) Prior to construction activities, the Project proponent shall delineate the work area with brightly colored fencing or other methods to ensure both temporary and permanent impacts to waters of the United States and waters of the State of California do not exceed the limits authorized in this Certification.
- 6) 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. Additionally no materials maybe stored within waters of the United States or waters of the State of California.
- 7) 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.

- 8) 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.
- 9) 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.
- 10) 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.
- 11) Best management practices to stabilize disturbed soils must include the use of native plant species whenever feasible.
- 12) 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/](http://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 certify 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](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo_2003-0017.pdf)

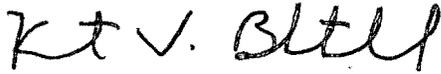
Should there be any questions, please contact Jason Bill at (951) 782-3295 or [jason.bill@waterboards.ca.gov](mailto:jason.bill@waterboards.ca.gov) or Wanda Cross at (951) 782-4468 or [wanda.cross@waterboards.ca.gov](mailto:wanda.cross@waterboards.ca.gov).

Mr. Kevin Kuennen  
Southern California Gas Company  
332015-09

- 7 -

August 10, 2015

Sincerely,



Kurt V. Berchtold  
Executive Officer

cc (via electronic mail):

Southern California Gas Company – Justin Meyer– [jmeyer2@semprautilities.com](mailto:jmeyer2@semprautilities.com)

U. S. Army Corps of Engineers, Los Angeles Office - James Mace

CA Department of Fish and Wildlife – Kim Freeburn-Marquez

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