



# California Regional Water Quality Control Board

## Santa Ana Region



**Linda S. Adams**  
Secretary for  
Environmental Protection

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**Arnold Schwarzenegger**  
Governor

September 24, 2008

Paul Yamazaki  
Southern California Edison  
2244 Walnut Grove Avenue, #3A  
Rosemead, CA 91770

### **CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS CERTIFICATION FOR THE VALLEY-AULD-PAUBA POLE REPLACEMENT PROJECT, UNINCORPORATED RIVERSIDE COUNTY (ACOE REFERENCE NO. NOT AVAILABLE)**

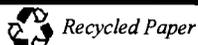
Dear Mr. Yamazaki:

On July 1, 2008, we received an application for Clean Water Act Section 401 Water Quality Standards Certification (Certification) for the replacement of wooden power-transmission poles in unincorporated Riverside County. 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) and subsequent Basin Plan amendments:

**Project Description:** Replacement of wooden power-transmission poles along a 10-mile route between Mathews and McLaughlin Roads near the community of Murrieta, generally along Briggs Road, to Los Alamos Road. The wooden poles will be replaced by light-weight steel poles generally in the same location as the existing poles. Four poles within Warm Springs Creek along Briggs Road will be replaced. The four poles are located within Section 25 of Township 6 South, Range 3 West, of the U.S. Geological Survey *Murrieta, California*, 7.5-minute topographic quadrangle map (33.62354 degrees N/ - 117.13689 degrees W).

**Receiving water:** Warm Springs Creek.

*California Environmental Protection Agency*



Fill area: 0.01 acre of temporary impact to an ephemeral drainage (12 linear feet).

Dredge/Fill volume: N/A

Federal permit: U.S. Army Corps of Engineers Nationwide Permit No. 25

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 Best Management Practices will be implemented to reduce construction-related impacts to Waters of the State. This project is over one acre. Therefore, coverage under the State Water Resources Control Board's General Permit for Storm Water Discharges Associated with Construction Activity, Water Quality Order 99-08 DWQ, is required, as is development of a Storm Water Pollution Prevention Plan (SWPPP), to control the discharge of pollutants from the project site.

You have applied for a Nationwide Permit from the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act. In addition, you have applied for a Streambed Alteration Agreement from the Department of Fish and Game. Pursuant to the California Environmental Quality Act (CEQA), the California Public Utilities Commission and the Regional Board have determined that the proposed project is categorically exempt from provisions of CEQA pursuant to State CEQA Guidelines Section 15302 as the project entails replacement of existing structures with others that are have substantially the same purpose and capacity.

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

- 1) A copy of this Certification and any amendments must remain at the job site for the duration of the work in waters of the State.
- 2) The applicant must comply with the requirements of the Clean Water Act section 404 permit.

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.

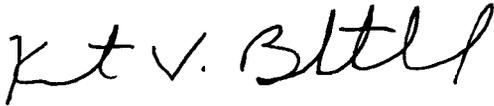
In the event of any violation or threatened violation of the conditions of this certification, the holder of any permit or license subject to this certification shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean 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. 200-0017-DWQ is available at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0017.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0017.pdf)

Should there be any questions, please contact Adam Fischer at (951) 320-6363, or Mark Adelson at (951) 782-3234.

Sincerely,



for GERARD J. THIBEAULT  
Executive Officer

cc (via electronic mail):

U. S. Army Corps of Engineers, Los Angeles Office – Dan Swenson  
State Water Resources Control Board, OCC – David Rice  
Department of Fish and Game – Michael Flores  
State Water Resources Control Board, DWQ-Water Quality Certification Unit –  
Bill Orme  
U.S. EPA, Supervisor of the Wetlands Regulatory Office WTR- 8 – Eric Raffini  
and David Smith

APF:401/certifications/valley-auld pole replacement 332008-17

