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**Santa Ana Regional Water Quality Control Board**

August 13, 2013

Vicky Garcia  
Southern California Gas Company  
1981 W Lugonia Ave.  
Redlands, CA 92374

**CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS  
CERTIFICATION FOR THE POTRERO PIPE REMOVAL PROJECT, COUNTY OF  
RIVERSIDE, CALIFORNIA (ACOE REFERENCE NO. NOT AVAILABLE) (SARWQCB  
PROJECT NO. 332013-07)**

Dear Ms. Garcia,

On March 29, 2013, we received an application for Clean Water Act Section 401 Water Quality Standards Certification ("Certification") from the Southern California Gas Company for a project to remove 1,600 feet of 8-inch subterranean gas pipeline, of which 525 feet crosses Potrero Creek, east of Moreno Valley and north of the city of San Jacinto, in Riverside County. Currently, portions of the pipeline within the creek bed have become exposed due to scouring caused from strong flows during storm events. 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:** Project activities will include the removal of 525 feet of exposed, abandoned 8-inch gas pipeline from the Potrero Creek wash, of approximately 1,600 linear feet of abandoned 8-inch gas pipeline that is to be removed. This effort will include the removal of six 8.5-inch diameter pipeline supports, with one location along the length having two supports. In addition to the removal of exposed pipe and pipeline supports, the project includes the removal of additional lengths of the pipeline on within Potrero Creek's flood plain, to prevent the risk of damage that may be caused by future scouring within the wash system. The work will take place within Sections 8 and 9 of Township 4 South, Range 1 West, of the U.S. Geological Survey *San Jacinto* quadrangle map (33.846° N/ -116.9984° W).

Receiving water:

Potrero Creek, an ephemeral wash, tributary to the San Jacinto River

Fill area:

Temporary impacts to Streambed Habitat	0.28 acre	448 linear feet
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Dredge/Fill volume: N/A

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:

The applicant has proposed that temporary impacts to streambed habitat within the project area will be restored through natural attenuation and recruitment. In addition to the aforementioned, the following standards have been proposed within this Certification's application materials:

- Standard water quality related best management practices (BMPs) will be employed during construction activities.
- The pipe removal activities were considered, as they related to the sensitivity of the wash. Plans have been designed to remove the pipe while minimizing impacts to the wash to the maximum extent practicable. Measures that will be taken to limit potential water quality impacts within Potrero Creek and associated habitats and downstream waters include:
  1. Utilizing existing unpaved access roads (except those designated within the wash).
  2. Utilizing unvegetated sandy areas and areas where there is evidence of off-road activity and other previous disturbance within the wash as access roads.
  3. SoCal Gas' Water Quality Construction BMP Manual will be implemented as applicable.
  4. Conducting work activities during no flow conditions.

Offsite Water Quality Standards Mitigation Proposed:

- None

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.

Pursuant to the California Environmental Quality Act (CEQA), the Santa Ana Regional Water Quality Control Board has determined that the project is categorically exempt from provisions of CEQA under Guidelines Section 15301(b) as it consists of minor alterations to existing public facilities and would involve negligible expansion of the use of those facilities. The applicant will file a Notice of Exemption on behalf of the Regional Board with the State Office of Planning and Research.

**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) 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.
- 3) 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.
- 4) 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.
- 5) 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.

- 6) 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.
- 7) *Best management practices to stabilize disturbed soils must include the use of native plant species whenever feasible.*
- 8) 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/)
- 9) Applicant shall ensure that all fees associated with this project shall be paid to each respective agency prior to conducting any on-site construction activities.

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.

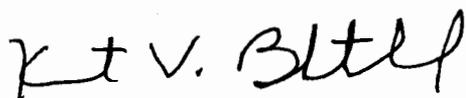
In the event of any violation or threatened violation of the conditions of this certification, the holder of any permit or license subject to this certification shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean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

ICF International – Mikael Romich  
U. S. Army Corps of Engineers, Los Angeles Office -Jason Lambert  
CA Department of Fish and Wildlife - Juan J. Lopez-Torres  
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