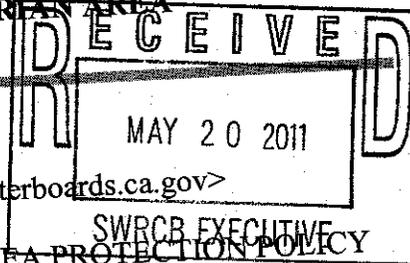


**commentletters - PG&E's COMMENTS ON WETLAND AND RIPARIAN AREA  
PROTECTION POLICY EIR**



**From:** "Bell, Rex" <RxBd@pge.com>  
**To:** "'commentletters@waterboards.ca.gov'" <commentletters@waterboards.ca.gov>  
**Date:** 5/20/2011 11:59 AM  
**Subject:** PG&E's COMMENTS ON WETLAND AND RIPARIAN AREA PROTECTION POLICY EIR

Dear Ms. Townsend -

Pacific Gas & Electric Company (PG&E) is submitting the comments below on the State Water Resources Control Board's **Notice of Preparation of Environmental Impact Report / Initial Study Checklist for the Wetland Area Protection Policy and Dredge and Fill Regulations.**

PG&E provides natural gas and electricity to approximately 15 million people throughout a 70,000-square-mile service area in northern and central California. In fulfilling this obligation, PG&E strives to conduct operations in a manner that is protective of California's resources, including wetlands.

**COMMENTS**

In response to the U.S. Supreme Court's SWANCC and Rapanos decisions, the US EPA and the Army Corps of Engineers are currently in the process of revising guidance on the interpretation of waters protected under the Clean Water Act, including wetlands. [http://water.epa.gov/lawsregs/guidance/wetlands/upload/wous\\_guidance\\_4-2011.pdf](http://water.epa.gov/lawsregs/guidance/wetlands/upload/wous_guidance_4-2011.pdf)

EPA states that after the guidance is finalized, new Federal regulations will be issued. EPA also states that the guidance and the regulations will result in a broadening of water bodies protected under the Clean Water Act (CWA). This will enhance the ability to protect wetlands under the CWA sections 401 and 404.

We strongly urge the Board to fully consider the timing and impacts of federal actions on the development of the State's Wetlands Policy and the associated EIR, and to make modifications to schedule, content, and scope, as appropriate. This will help avoid redundancy between State and Federal requirements that could lead to inefficient environmental regulatory processes, permitting delays, and unnecessary costs to taxpayers, regulatory agencies, and the regulated community.

We also strongly urge a clear and practical means for implementing the wetlands delineation process, especially for areas that are at times devoid of water, vegetation, or other straight forward means of identification.

Thank you for this opportunity.

Sincerely,

Rex Bell  
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