

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program

**Public Notice
of Application for Water Quality Certification**

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (RWQCBs) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Resources Control Board has this responsibility for projects affecting waters within multiple RWQCB jurisdictions.

The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Certification Program.

Applicant: U.S. Department of Energy - Western Area Power Administration

Applicant Contact: Ami Goerdt
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Project Name: North Area Right-of-way Maintenance Project
Date of Application: Oct. 15, 2009

**Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)
U.S. Department of Energy - Western Area Power Administration
North Area Right-of-way Maintenance Project**

Affected Counties: Modoc, Lassen, Siskiyou, Shasta, Trinity,
Tehama, Butte, Glenn, Colusa, and Sutter

On Oct. 15, 2009, the State Water Resources Control Board (Water Board) received an application from the U.S. Department of Energy (DOE) – Western Area Power Administration – Sierra Nevada Region (applicant, or Western), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities related to a proposed five year maintenance program for some 800 miles of electric transmission lines, with appurtenant roads and structures, spanning nine counties in northern California. The stated purpose of the proposed project is the ongoing maintenance of these existing power lines.

Western is a power marketing administration of DOE. Western owns, operates, and maintains 115 kilovolt (kV), 230 kV, and 500 kV transmission lines in Modoc, Siskiyou, Shasta, Trinity, Tehama, Butte, Glenn, Colusa, and Sutter Counties. These lines

include portions of the Central Valley Project (CVP) and the entire Pacific Alternating Current Intertie (PACI) transmission lines. The PACI is comprised of three 500 kV lines that extend from the Captain Jack Substation in Klamath County, Oregon to the Tesla Substation in San Joaquin County, California.

Approximately 16% of the land affected is federal land, and 84% is non-federal. The project area crosses or enters 23 local agency jurisdictions.

Western also operates and maintains, and has partial ownership in, the California-Oregon Transmission Project (COTP), which is primarily owned by the Transmission Agency of Northern California (TANC), a Joint Powers Authority organized under California law.

In addition to the transmission lines, Western owns numerous communication facilities (e.g., microwave towers, cell towers) throughout the project area. Collectively, the CVP, PACI, COTP, seven communication facilities, and associated access roads make up Western's right of way and comprise the project area.

The three broad categories of maintenance activities covered under this application include:

- Mechanical and chemical vegetation maintenance
- Access road maintenance
- Maintenance of transmission line and associated structure, hardware, and equipment maintenance.

The proposed activities involve work within potential Waters of the U.S., including wetlands, and Waters of the State. No permanent impacts to waters of the U.S. or Waters of the State are projected under this application. Maintenance activities that may cause permanent impacts to Waters of the U.S. or Waters of the State would be the subject of subsequent individual applications. Projected annual temporary effects to Waters of the U.S. including wetlands and Waters of the State are summarized in the following table.

TABLE 1: Summary of Projected Annual Effects To Waters of U.S. and State	Temporary Impacts (ac. yr/ ac. 5 yr.)	Permanent Impacts (ac.)	
Waters of the U.S.	0.000 / 0.000	0.000	
Waters of the U.S. – wetlands	0.100 / 0.500	0.000	
Waters of the State*	0.000 / 0.000	0.000	
Total effects	0.100 / 0.500	0.000 ac.	
* i.e., waters not also under Federal jurisdiction			

Because of the contingent nature of maintenance activity, project effects are only estimates. Annual reporting to the Water Board would document actual effects.

A combination of avoidance and minimization mitigation measures are proposed to offset potential effects of project implementation to wetlands and waters of the U.S. and the state. All feasible and practical measures will be undertaken to avoid or minimize impacts to seasonal wetlands and other waters during project activities. Mitigations also include preparation of a Storm Water Pollution Prevention Plan (SWPPP).

All project activity will occur under Nationwide Permit numbers 3, 12, 13, 14, and 41. pursuant to the federal Clean Water Act, section 404. The applicant will notify the United States Army Corps of Engineers on a case-by-case basis as these activities occur.

The California Department of Fish and Game (CDFG) has indicated that it has no regulatory authority or interest over this federal project.

The State Water Board, acting as lead agency under CEQA, will issue an initial study in compliance with CEQA that describes the expected impacts and mitigations needed for this project. The Water Boards will consider this document and any public comments received, and then make a determination of the appropriate CEQA pathway for the proposed activities.

Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Cliff Harvey at (916) 558-1709 (charvey@waterboards.ca.gov) within 21 days of the posting of this notice.

Date Posted: Oct. 21, 2009

State Water Resources

Control Board Staff Contact:

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Note: No regulatory decision on the application is implied or intended in this public notice.