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## Colorado River Basin Regional Water Quality Control Board

Certified Mail: **7022 0410 0001 5745 1155**

January 4, 2024

Southern California Edison (SCE)  
Hazem Gabr, Water Quality Section Manager  
2244 Walnut Grove Avenue GO-1, Environmental Services  
Rosemead, CA 91770  
[Hazem.Gabr@sce.com](mailto:Hazem.Gabr@sce.com)

**SUBJECT: NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. 2004-0004-DWQ, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DREDGED OR FILL DISCHARGES TO WATERS DEEMED BY THE U.S. ARMY CORPS OF ENGINEERS TO BE OUTSIDE OF FEDERAL JURISDICTION, TD1793594 PIPELINE ROAD DETERIORATED POLE REPLACEMENT PROJECT (WDID NO. 7A363051001), SAN BERNARDINO COUNTY**

Dear Mr. Gabr,

On October 6, 2023, Southern California Edison (SCE or Discharger) submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. 2004-0004-DWQ, *Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction*.

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) has reviewed your enrollment materials and finds that the dredge/fill discharges associated with the TD1793594 Pipeline Road Deteriorated Pole Replacement (Project) meet the requirements for enrollment. You are hereby enrolled under Order No. 2004-0004-DWQ and may proceed with the Project in accordance with the Order.

A copy of [Order 2004-0004-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) ([https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)) is attached and it can be found on the State Water Board's Adopted Orders webpage.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. You are responsible for complying with all applicable Order requirements. Failure to comply with

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EDWARD MUZIK, CHAIR | PAULA RASMUSSEN, EXECUTIVE OFFICER

Order No. 2004-0004-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

### **PROJECT DESCRIPTION, IMPACTS, AND MITIGATION**

The proposed Project involves removing and replacing one deteriorated wood distribution pole (Pole 341112S) with a new wood pole directly north of the existing pole. Ground disturbance for new pole installation includes excavation by truck-mounted or handheld auger for the new pole hole measuring approximately 2-3 feet in diameter by 6-9 feet deep. Spoils from the excavation will be side cast on an adjacent tarp. Once the excavation is complete, the new pole will be placed in the hole and held in place while the hole is backfilled with a portion of the excavated native spoils and gravel to stabilize the pole. Conductor wires will then be transferred to the new pole from the old pole, which will be pulled from the ground for disposal off-site at an approved facility. The hole vacated by the old pole will be backfilled with remaining native spoils from the excavation for the new pole. The area of soil disturbance (i.e., excavation, side casting and backfill) would be limited to approximately 10 feet around the pole location within a general 25-foot temporary work area around the pole for the staging and operation of construction vehicles and equipment. No additional discharge of materials is anticipated.

The Project work area is accessible by existing maintained dirt roads and approximately 75 feet of overland truck travel across unvegetated sandy substrate. Access to the sites will utilize rubber-wheeled vehicles, no grading is proposed.

The Project will result in 0.038 acres (50 linear feet) of temporary impacts to waters of the State (unnamed ephemeral drainage). No permanent impacts are identified. The unnamed ephemeral drainage has no surface connectivity to traditional navigable waters or other waters of the U.S. Flow in the general vicinity is ultimately conveyed toward Coyote Dry Lake, a dry lake which is not considered waters of the U.S.

### **PROJECT LOCATION**

The Project is located in the Mojave Desert, approximately 75 feet north of unpaved Pipeline Road and approximately 0.12 miles west of the intersection of Center Avenue and Pipeline Road in the town of Joshua Tree, San Bernardino County. The Project occurs within Section 30, Township 1 North, Range 7 East of the United States Geological Survey (USGS) Joshua Tree North, California 7.5-minute quadrangle map.

The latitude and longitude of the impacted area is listed below. Maps showing the Project location are found in Attachment A of this Order.

<b>Site</b>	<b>Latitude</b>	<b>Longitude</b>
Pole 341112S	34.146001° N	-116.293207° W

<b>USGS 7.5 Minute Quadrangle Map Name</b>	<b>Township</b>	<b>Range</b>	<b>Sections</b>
Joshua Tree North	1 N	7 E	30

### **APPLICATION FEE RECEIVED**

A fee of \$2,734 (\$2000 + \$734) was received on January 27, 2023.

The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3) and was calculated as Category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The Colorado River Basin Water Board has determined that the enrollment of this Project under Order 2004-0004-DWQ, which prescribes waste discharge requirements for the Project, is categorically exempt from the procedural requirements of the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq. Specifically, the issuance of this Order and the Project described herein meet the criteria for a Class 1 exemption (§ 15301, Existing Facilities) under the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). Additionally, no exceptions to the CEQA exemption listed above apply.

Pursuant to CEQA, the Colorado River Basin Water Board has made Findings of Facts (Findings) which support the issuance of this Order and they are included in Attachment B.

### **AVOIDANCE AND MINIMIZATION MEASURES**

The Discharger must implement the measures identified in the Temporary Impact Restoration Plan submitted with the Project application, as well as comply with all applicable requirements in Order No. 2004-0004-DWQ.

## **TERMINATION OF COVERAGE**

Upon completion of the Project, SCE shall submit a complete Notice of Termination (NOT) requesting to be disenrolled under Order No. 2004-0004-DWQ. Attachment 2 to Order No. 2004-0004-DWQ contains the NOT form.

If you have questions concerning this matter, please contact Logan Raub, 401 Water Quality Certification Program Manager, at (760) 776-8966 or at [Logan.Raub@waterboards.ca.gov](mailto:Logan.Raub@waterboards.ca.gov).

Sincerely,

*Original Signed By* \_\_\_\_\_

Paula Rasmussen  
Executive Officer  
Colorado River Basin  
Regional Water Quality Control Board

Enclosures: 1) Attachment A Project Maps  
2) Attachment B CEQA Findings  
3) Order No. 2004-0004-DWQ

LR/

File: WDID: 7A363051001, RM 454684, Place ID 890745, TD1793594 Pipeline Road  
Deteriorated Pole Replacement Project, Order 2004-0004-DWQ

cc: [via email only] (w/enclosures):

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San Bernardino County Environmental Health: [adela.evans@dph.sbcounty.gov](mailto:adela.evans@dph.sbcounty.gov)

San Bernardino County Planning Department: [hduron@lusd.sbcounty.gov](mailto:hduron@lusd.sbcounty.gov)

San Bernardino County Flood Control District: [David.Drake@dpw.sbcounty.gov](mailto:David.Drake@dpw.sbcounty.gov)

U.S. Bureau of Land Management: [BLM\\_CA\\_Web\\_CD@blm.gov](mailto:BLM_CA_Web_CD@blm.gov)

USEPA Region IX 401 Program: [R9cwa401@epa.gov](mailto:R9cwa401@epa.gov)

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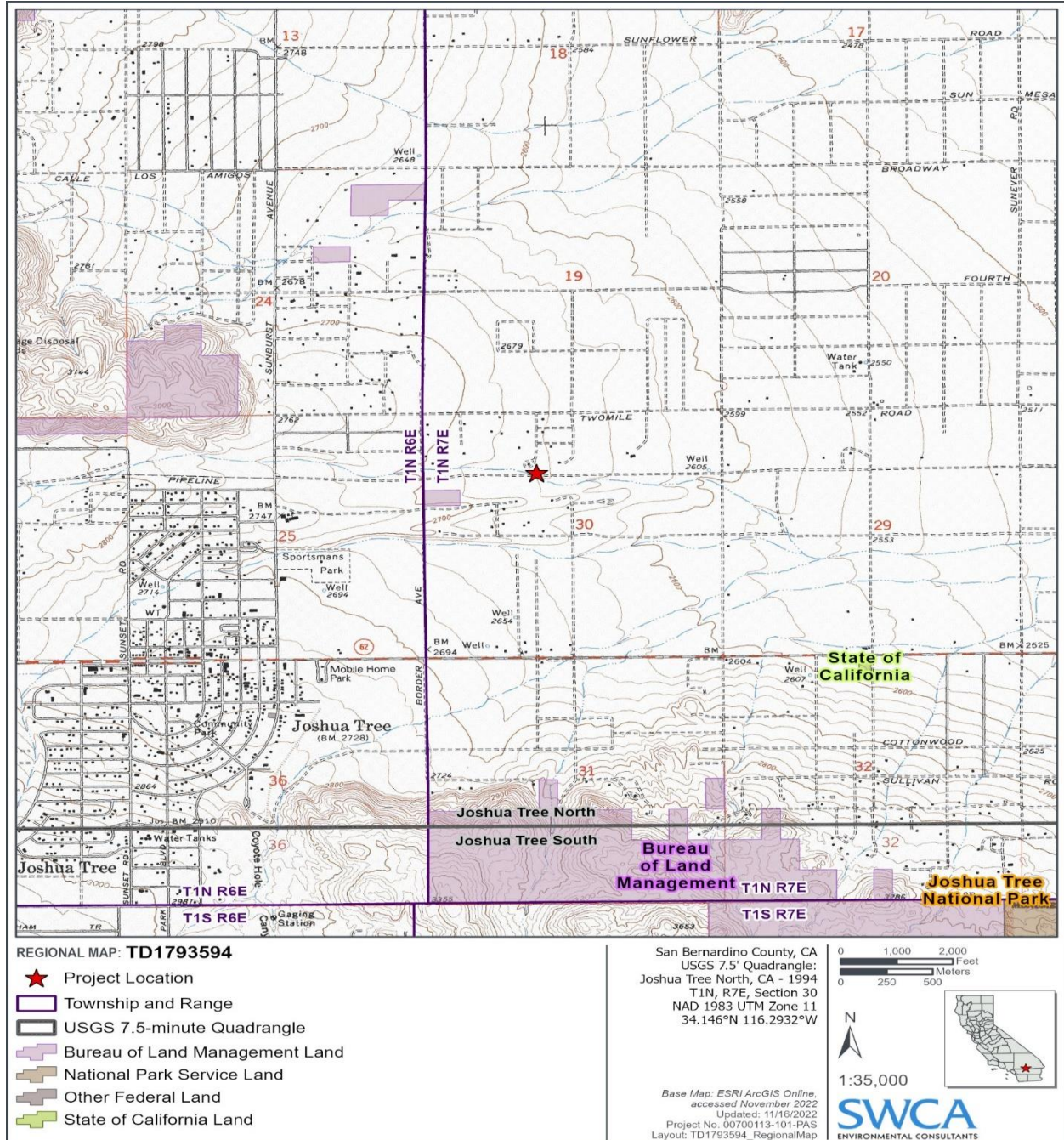
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401 Program, DWQ, State Water Resources Control Board:

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CA Department of Resources Recycling & Recovery: [WPCMDivision@Calrecycle.ca.gov](mailto:WPCMDivision@Calrecycle.ca.gov)

**Attachment A**  
**Project Maps**



**Figure 1: Regional Location Map<sup>1</sup>**

<sup>1</sup>Southern California Edison, October 2023. Notice of Intent (NOI) for the Southern California Edison TD1793594 Pipeline Road Deteriorated Pole Replacement Project.

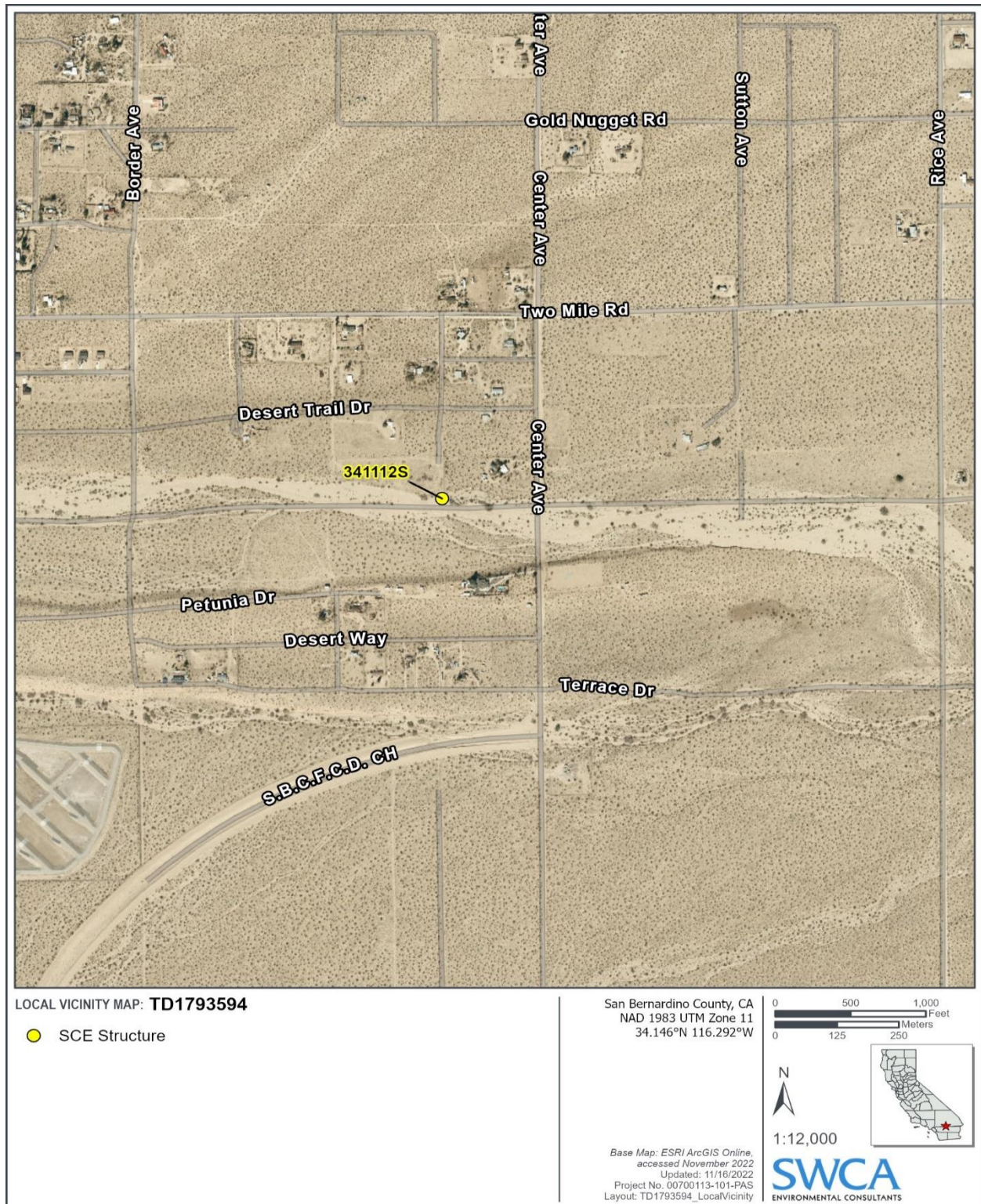
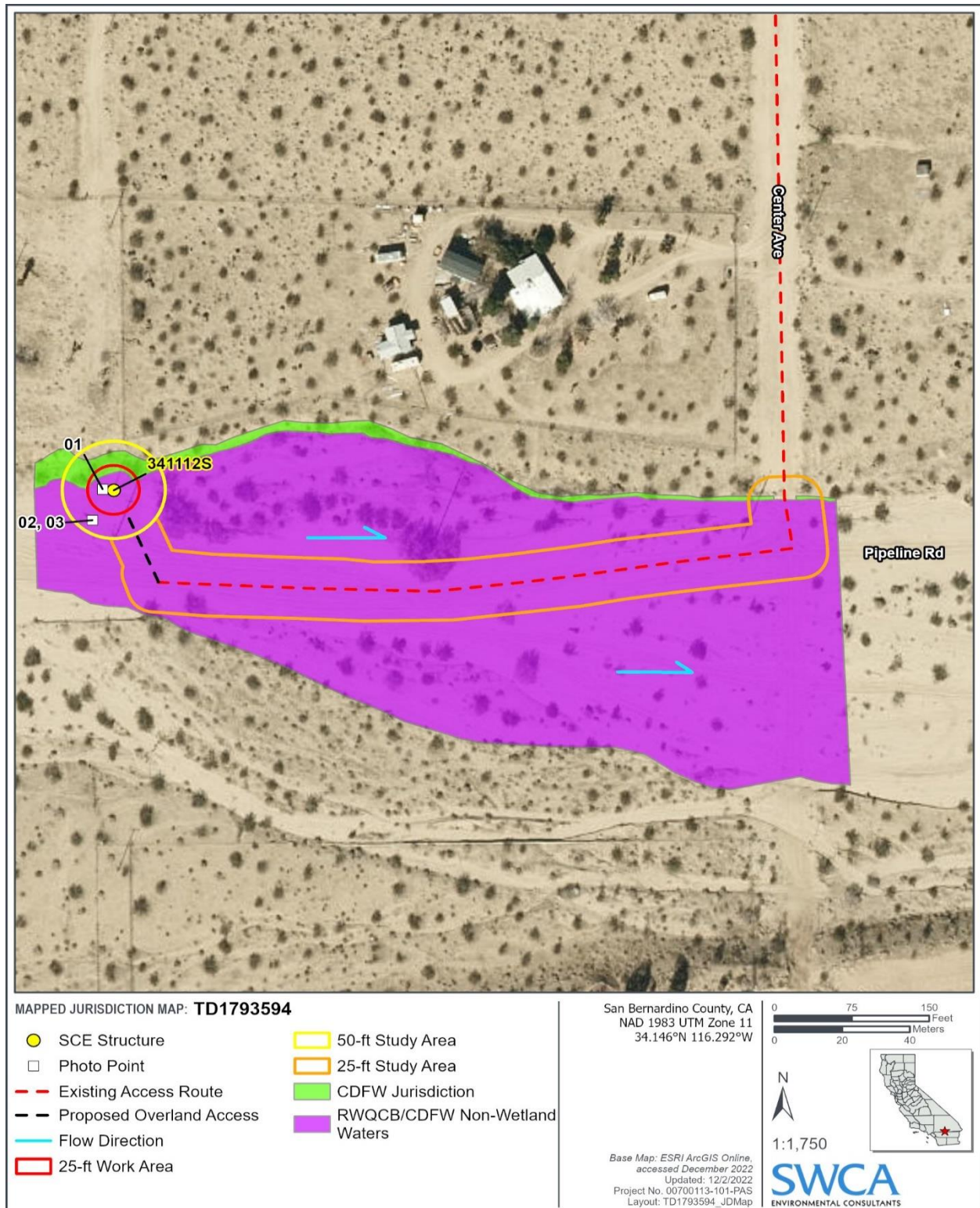


Figure 2: Vicinity Map



**Figure 3: Mapped Jurisdiction and Jurisdictional Impacts**





**Photo 1.** Pole Tag for Pole 34112S, Facing East



**Photo 2.** Pole 34112S, Facing North

## **Attachment B CEQA Findings**

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### **A. Introduction**

The Colorado River Basin Water Board has determined that the Project is exempt from review under CEQA pursuant to California Code of Regulations, title 14, section 15061. Specifically, the issuance of this Order and the Project described herein meet the exemptions criteria under California Code of Regulations, title 14, section 15301 (Existing Facilities).

### **B. Findings**

#### **1. Applicable Categorical Exemption**

Under title 14, section 15301 of the California Code of Regulations, there is a “Class 1” categorical exemption where the proposed project “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” such as “(b) [e]xisting facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.”; and “(d) [r]estoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.”

The Project falls within the exemption per section 15301 (Existing Facilities), because the Project involves the replacement of a deteriorating power pole with a similar pole. The Project will not result in an expansion of use.

#### **2. No Exceptions to the Categorical Exemption Apply**

There is no substantial evidence that any exceptions to the CEQA categorical exemption listed above apply. Analysis of the relevant exceptions pursuant to section 15300.2 of the State CEQA Guidelines are as follows:

- a. Location. Class 4 is qualified by consideration of where the project is to be located—a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, this class is considered to apply in all instances, except where the project may have an impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

The Project would involve temporary impacts to the Colorado River Basin Water Board jurisdictional waters of the State, within an isolated watershed not under the jurisdiction of the USACE. The work area will be restored to pre-construction conditions following Project completion. The impacts are

anticipated to be short-term and/or less than significant. Furthermore, the Project falls within the exemption found in Section 15301 (Class 1, Existing Facilities), which is not qualified by consideration of location.

- b. Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

No significant cumulative impacts over time are anticipated. This Project is not a part of a larger project.

- c. Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

There are no “unusual circumstances” that would create a reasonable possibility of significant environmental impacts. All construction will be performed under “no flow” conditions in the washes to preclude potential impacts to water quality. Best Management Practices (BMPs) that will be used are appropriate for this type of project activity.

- d. Scenic Highway. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

The Project is located in the Mojave Desert within open space on private land. The pole is located on private land, approximately 75 feet north of unpaved Pipeline Road and approximately 0.12 mile west of the intersection of Center Avenue and Pipeline Road in the town of Joshua Tree. The Project will not damage the scenic resources within these highways/roads as it will be a temporary project. Once work is completed, the area will be restored to pre-construction conditions.

- e. Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of Government Code.*

The Project site is not included on any list compiled pursuant to section 65962.5 of the Government Code.

- f. Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

There is no anticipated substantial adverse change in the significance of a historical resource. The Project is simply replacing an existing pole that has deteriorated.

**C. Determination**

The issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations, title 14, section 15301 (Existing Facilities).

The Colorado River Basin Water Board concludes that no exceptions to the CEQA exemption listed above apply to the activities approved by this Order.

The Colorado River Basin Water Board will file a Notice of Exemption with the State Clearinghouse within five (5) working days from the issuance of this Order. (Cal. Code Regs., tit. 14, § 15062.)

Southern California Edison  
TD1793594 Pipeline Road  
Deteriorated Pole Replacement Project

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January 4, 2024

**Order No. 2004-0004-DWQ**

A copy of Order No. 2004-004-DWQ can be found at:

[www.waterboards.ca.gov/water\\_issues/programs/cwa401/generalorders.html](http://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html)