

Public Notice for Emergency Temporary Repair Project
October 20, 2006

Applicant:

Santa Fe Pacific Pipelines Partners, L.P. (SFPP)

Project Name:

Emergency Temporary Repair of Line Section 111 Pipeline Washout

Receiving Water:

San Gorgonio River

Location:

South of Interstate 10 near the intersection of Highway 111, Riverside County, CA
Section 8, Township 3 South, Range 3 East, SBB&M

Project Description:

The California Regional Water Quality Control Board, Colorado River Basin Region (Regional Board), received a request from TRC Solutions, Inc., on behalf of SFPP (Applicant), on October 19, 2006, for a Clean Water Act Section 401 Water Quality Certification (401 WQC) for the emergency temporary repair of two exposed sections of pipeline along Line Section 111 within the San Gorgonio River in Riverside County, California.

On January 13, 2006, the Regional Board initially received a request from TRC Solutions, Inc., on behalf of SFPP, for a 401 WQC for the installation of permanent erosion control structures for these two exposed sections of Line Section 111. The Regional Board denied the proposed Project without prejudice on April 13, 2006, because the Applicant had failed to demonstrate compliance with the environmental review requirements set forth in the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.). The public agency designated at that time to be the CEQA Lead Agency for conducting this environmental review had not approved the proposed environmental documentation prepared for the proposed project. The Regional Board has since determined that it will act as the Lead Agency under CEQA to conduct the required environmental review for this project. In this capacity, the Regional Board requested and received environmental documentation from TRC Solutions, Inc., for the proposed project on May 17, 2006, and is currently reviewing this documentation.

As mentioned, the originally proposed Project would install permanent erosion control structures on two sections of Line Section 111, a 20-inch pipeline that transports petroleum products from Colton, California, to Phoenix, Arizona. The Line Section 111 pipeline crosses the San Gorgonio River near the intersection of Interstate 10 and Highway 111, within the South ½ of Section 8, Township 3 South, Range 3 East, SBB&M. High storm water flow in late 2004/early 2005 in the San Gorgonio River undermined the pipeline along the western and eastern banks of the San Gorgonio River. To protect the exposed pipeline and prevent future erosion, the Applicant proposes to install Flexible Concrete Revetment (FCR) structures in two locations along the banks of the San Gorgonio River.

Because of permitting delays, the Applicant is requesting a 401 WQC to complete temporary protection of the pipeline at these two exposed sections. The temporary structures would be removed after the CEQA review process has been completed and regulatory approvals are granted for the construction of the permanent structures, as originally proposed in the 401 WQC received by the Regional Board on January 13, 2006.

The Applicant explained that the exposed pipeline segments must be protected as soon as possible to protect them from damage from possible floodwaters within the San Gorgonio River, all-terrain vehicles, firearms and corrosion. Time limitations on both ambient air temperature (activities must be conducted when the temperature is above 71 degrees Fahrenheit to ensure protection of listed endangered species) and storm events require activities to occur prior to October 31, 2006.

As specified in the Applicant's original application for a 401 WQC, the proposed project area does not impact critical habitat for the Coachella Valley fringe-toed lizard, desert tortoise or Coachella Valley milk-vetch, although the project may affect, but is not likely to adversely affect, these species. Pursuant to the Applicant's Section 7 consultation with the U.S. Fish and Wildlife Service, the Applicant has developed mitigation measures as conditions of approval to minimize any adverse impact on these species. These measures include, for example, the requirement that: "Activities shall be conducted at temperatures above 71 degrees Fahrenheit to ensure reptiles are active enough to escape activities." The Applicant proposes to implement measures to avoid impacts to sensitive species and habitat during construction as outlined during the initial application and during its consultation with the U.S. Fish and Wildlife Service. To ensure that the Applicant satisfies the conditions of approval previously established, the Applicant proposes to begin construction on the emergency temporary project on October 23, 2006, and complete the emergency temporary project by October 31, 2006.

The emergency temporary repair project will consist of the placement of concrete K-rails surrounding the exposed pipeline sections. The K-rails will be backfilled with sand obtained from the dry river bottom of the San Gorgonio River, to a depth of no more than 6 inches in any area. The backfilled sand will be lined with geotextile fabric.

The Regional Board has determined that the proposed project qualifies for a statutory exemption as an Emergency Project pursuant to Public Resources Code Section 21080(b)(4) ("Specific actions necessary to prevent or mitigate an emergency") and CEQA Guidelines Section 15269(c) ("Emergency Projects") (Cal. Code Regs., tit. 14, Section 15269(c)). Accordingly, the Regional Board filed a Notice of Exemption with the California State Clearinghouse on October 20, 2006.

The Regional Board intends to approve the 401 WQC for the proposed emergency temporary project in less than the normal 21-day public notice period specified in Section 3858(a) of Title 23 of the California Code of Regulations. Section 3858(a) allows for a shorter public notice period, however, if an emergency requires that certification be issued in less than 21 days. This regulatory provision provides further that public notice must be provided as much in advance of issuance of the certification as possible, but no later than simultaneously with issuance of certification. This Public Notice is being provided in compliance with this requirement.

Action:

Pending

Water Board Contact:

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