
Colorado River Basin Regional Water Quality Control Board

May 6, 2015

Mr. Darrell Johnson
Southern California Gas Company
555 W. 5th Street, MLGT17E2
Los Angeles, California 90012-1010

RE: ORDER FOR TECHNICALLY-CONDITIONED CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION (WQC) FOR DISCHARGE OF DREDGED AND/OR FILL MATERIALS

PROJECT: This federal Clean Water Act Section 401 Water Quality Certification (33 U.S.C. § 1341) is written for Southern California Gas Company (SoCalGas) – 401 WQC for Southern California Gas Company Desert Area Operations and Maintenance Projects, WDID No. 7A333149001

APPLICANT: Southern California Gas Company

- ACTION:**
1. Order for Standard Certification
 2. Order for Technically-Conditioned Certification
 3. Order for Denial of Certification

STANDARD CONDITIONS:

The following standard conditions apply to all certification actions, except as noted above under Action 3 for denials.

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR

ELLEN WAY, CHAIR | ROBERT PERDUE, EXECUTIVE OFFICER

section 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

3. The validity of any non-denial certification action (Actions 1 and 2) shall be conditioned upon total payment of the full fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.
4. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under State law. For purposes of Clean Water Act (CWA) section 401(d), 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 Water Quality Certification (WQC).
 - a. In response to a suspected violation of any condition of this WQC, the Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board) may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Colorado River Basin Water Board deems appropriate, provided that the burden, including cost of the reports, shall be in reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
 - b. In response to any violation of the conditions of this WQC, the Colorado River Basin Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.

ADDITIONAL CONDITIONS:

The following additional conditions apply to this certification:

1. This WQC applies towards the proposed project (Project) as described in a 401 application received by the Colorado River Basin Water Board on March 17, 2015.
2. The Applicant shall provide the Colorado River Basin Water Board and other interested agencies with written notification of any significant modifications made to the Project prior to implementation of the modifications.
3. This WQC does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

4. This WQC does not authorize the Applicant or any associated party to trespass on any land or property unless the applicant has obtained written authorization or acquired a special use authorization permit from the land or property owner.
5. A copy of this WQC shall be provided to the appropriate onsite Supervisor for the Project. All personnel performing work on the proposed Project shall be familiar with the content of this WQC. Copies of the WQC shall be readily available at the Project site at all times during periods of active work and shall be presented to regulatory agency representatives upon request.
6. The Applicant shall grant Colorado River Basin Water Board staff, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to enter the Project site at reasonable times, to ensure compliance with the terms and conditions of this WQC and/or to determine the impacts the Project may have on waters of the United States.
7. The proposed Project shall not be enlarged or extend beyond the proposed Project impact area. The Applicant shall delineate the Project boundaries and staging areas with stakes, flags and/or temporary construction fencing.
8. The area of vegetation and soil disturbance shall be restricted to the smallest extent possible.
9. The Project shall not discharge substances in concentrations toxic to human, plant, animal, or aquatic life or that produce detrimental physiological responses.
10. The Project shall not discharge waste classified as "hazardous" as defined in Title 23 California Code of Regulations (CCR) section 2521, California Health and Safety Code section 25140, and Title 22, CCR, section 66260.10 et seq.
11. No oil, petroleum products, or rubbish shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the United States.
12. No equipment maintenance will be done within or near any stream channel where petroleum products or other pollutants from the equipment may enter waters of the United States.
13. Equipment refueling shall not occur within waters of the United States.
14. Any oil or grease leaks shall be immediately cleaned up.
15. The Applicant shall ensure that all contaminated material and/or contaminated soil removed or excavated from the Project site is properly loaded, transported, and disposed of in accordance with Federal, State, and local regulations.

16. Staging/storage areas for equipment and materials shall be located outside of waters of the United States.
17. The Applicant shall ensure that all disturbed and filled areas are adequately stabilized and protected from erosion and siltation by implementing appropriate soil stabilization, sedimentation and silt control measures.
18. Any flow diversion used during construction shall be designed in a manner to prevent pollution, minimize siltation, and shall provide flows to downstream reaches. Flows shall be maintained to support existing aquatic life and riparian wetlands and habitat that may be located upstream and downstream from any temporary diversion.
19. The Applicant shall restore drainages, to the greatest extent possible, to the original bank configuration, stream bottom width, and channel gradient.
20. All temporary facilities and impacts shall be removed and restored to the preexisting conditions and contours to the extent practicable.
21. Construction related materials and wastes shall be removed from the Project site upon completion of the Project.
22. The Applicant shall submit Notice to the Colorado River Basin Water Board within 60-days of completion of the Project. The Notice shall include: 1) a detailed summary of the mitigation and restoration activities implemented during the Project and 2) provide photographic documentation that supports the information summarized in the Notice.
23. The Colorado River Basin Water Board reserves the right to suspend, cancel, or modify and reissue this WQC, after providing notice to the Applicant and/or responsible Site-Supervisor, if the Colorado River Basin Water Board determines that the Project fails to comply with any of the terms or conditions of this WQC.
24. The Applicant shall orally notify the Colorado River Basin Water Board of any noncompliance that may impact the beneficial uses of waters of the United States, as soon as notification is possible and notification can be provided without substantially impeding measures necessary to address the noncompliance.

May 6, 2015

REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

If you have any questions, please contact Jay Mirpour, Water Resources Control Engineer, at (760) 776-8981 or jmirpour@waterboards.ca.gov.

WATER QUALITY CERTIFICATION:

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.

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicants' Project description and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the Colorado River Basin Water Board's Water Quality Control Plan (Basin Plan).



ROBERT PERDUE, Executive Officer
Colorado River Basin Regional Water Quality Control Board

JJM/

cc: James Mace, U.S. Army Corps of Engineers, Los Angeles District
Bill Orme, SWRCB, Division of Water Quality, Water Quality Certification Unit
Elizabeth Goldmann, U.S. Environmental Protection Agency, Region 9
Thomas A. Vandenberg, Office of Chief Counsel, SWRCB

File: SoCalGas – 401 WQC for Southern California Gas Company Desert Area Operations and Maintenance Projects, WDID No. 7A333149001

PROJECT INFORMATION

Application Date: This WQC applies towards the proposed project (Project) as described in a 401 application received by the Colorado River Basin Water Board on March 17, 2015.

Applicant: SoCalGas Contact: Mr. Darrell Johnson (213) 244-2142

Applicant Representative: SoCalGas, Contact: Mr. James Chuang, (213) 244 5817

Project Name: SoCalGas – 401 WQC for Southern California Gas Company Desert Area Operations and Maintenance Projects, WDID No. 7A333149001

Start and Completion: The proposed activities will commence upon receiving WQC and will be effective pursuant to authorization period of the relevant United States Army Corps of Engineers (USACOE) nationwide permit program.

Project Description: The WQC will allow the continuation of SoCalGas operations and maintenance projects within the Colorado River Basin jurisdiction.

SoCalGas operates an extensive natural gas transmission and distribution system throughout southern California. The proposed project activities are limited to the desert portions of SoCalGas' service territory, specifically in Imperial, Riverside, San Bernardino and San Diego counties. Routine operation and maintenance of SoCalGas' natural gas pipelines is mandated by the federal Department of Transportation (DOT) and California Public Utilities Commission (CPUC) laws and regulations. Additionally, the Pipeline Safety Improvement Act of 2002 (PSIA) requires operators of transmission pipelines transporting natural gas and other hazardous liquids to assess, evaluate, repair and validate through a comprehensive analysis the integrity of pipeline segments in order to ensure system reliability and public safety. The activities result in minor to moderate surface disturbance within and outside pipeline Right-of-Way (ROW).

Project Location: City or Area: California Desert Conservation Area, County: Imperial, Riverside, San Bernardino, San Diego

Location data varies since the activities are performed as-needed.

Receiving Water(s):

A total of 178 federal jurisdictional water bodies in particular drainages and desert washes will be potentially impacted by this project within the Colorado River Basin Water Quality Control Board jurisdiction. They are various unnamed desert washes, creeks and rivers, which include named water bodies such as the following: Homer Wash, Black Canyon Wash, Piute Wash, Coachella Canal, Whitewater River, Mojave River, Big Rock Creek and Little Rock Creek.

**Acres and Linear Feet
Impacted:**

Based on past activities performed under the existing WQC and new upcoming Pipeline Safety Enhancement Plan, SoCalGas estimates a total of approximately 49 acres of temporary impacts to jurisdiction waters for a 5 year period. However, SoCalGas has shown over the past years that implementation of various BMPs has resulted in no impacts in particular where avoidance and minimization of surface disturbance is feasible.

**Standard Best
Management
Practices (BMPs):**

- No toxic and/or hazardous materials shall be stored near or within wash/drainage areas. To extent possible, these materials will be offsite and/or placed in appropriate secondary containment.
- Work and staging areas and temporary access routes will be sized, located and flagged so as to limit potential impacts to natural areas. Previous disturbed areas will be used to the extent feasible.
- No fueling or maintenance of equipment and/or vehicles shall occur adjacent or within the wash/drainage areas.
- Spoil sites shall not be located where spoil could be washed back into the river, or where spoil will cover aquatic or riparian vegetation. Any materials placed in seasonally dry portions of the canal/ drainage areas that could be washed downstream or could be harmful to aquatic life shall be removed from the streambed prior to inundation by high flows.

- After completing the activities, the disturbed area will be restored to pre-existing contours and conditions to the extent feasible.

**Additional Site
Specific BMPs:**

Project activities are carried out when necessary and on "as-needed" basis. The routine operation, repair and maintenance activities are typically scheduled to occur during the non-rainy season in order to protect and minimize threat to water quality. In addition, SoCalGas has programmatic agreements with the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW) and Bureau of Land Management (BLM) for operation repair and maintenance activities within California Desert Conservation Area (CDCA) that provide for avoidance and minimization of potential impacts to natural resources including water quality.

SoCalGas will implement the following BMPs prior to starting repair and maintenance activities and during:

- To the maximum extent practicable, SoCalGas shall avoid impact to ephemeral washes and drainages.
- Staging area(s) shall be located within designated area outside of the wash/ordinary high water mark.
- No toxic and hazardous materials shall be stored near or within wash/drainage areas. To extent possible, materials shall be stored off-site and/or placed in appropriate secondary containment.
- No fueling or maintenance of equipment and/or vehicles shall occur adjacent or within the wash/drainage areas.

Whenever it is not feasible to avoid wash/drainage area; SoCalGas shall utilize BMPs to protect water quality that include but not limited to:

- Deployment of appropriate BMPs (silt fence, hay waddles, etc.) to control silt /sediment from entering the drainage area.
- Clean water diversion, where required.
- Excavated area shall be restored to pre-existing condition upon completion.

Federal Permit(s): U.S. Army Corps of Engineers Section 404 Nationwide Permits No(s). 3, 12, and 47

Status of CEQA:

The Regional Water Board determined that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Section 15301(b) - *Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services* and CEQA Section 15301(c) - *Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety)* because the project includes the repair and maintenance of existing utility facilities and access roads used to provide natural gas to the public. These activities involve no expansion of the existing use.

In accordance with CEQA Guidelines section 15062, the Regional Water Board shall file a Notice of Exemption with the Office of Planning and Research upon approval of the CWA section 401 WQC.

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