

ATTACHMENT C CEQA FINDINGS OF FACT

A. Environmental Review

On April 27, 2020, the California Public Utilities Commission (CPUC), as lead agency, adopted an Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2019089033) for the Project and filed a Notice of Determination at the State Clearinghouse on August 31, 2020. The Water Board is a responsible agency under CEQA (Pub. Resources Code, § 21069) and in making its determinations and findings, must presume that CPUC's adopted environmental document comports with the requirements of CEQA and is valid. (Cal. Code of Regs., tit. 14, § 15231.) The Water Board has reviewed and considered the environmental document and finds that the environmental document prepared by CPUC addresses the Project's water resource impacts. (Cal. Code of Regs., tit. 14, § 15096, subd. (f).) The environmental document includes the mitigation monitoring and reporting program (MMRP) developed by CPUC for all mitigation measures that have been adopted for the Project to reduce potential significant impacts. (Pub. Resources Code, § 21081.6, subd. (a)(1); Cal. Code of Regs., title 14, § 15074, subd. (d).)

B. Incorporation by Reference

Pursuant to CEQA, these Findings of Facts (Findings) support the issuance of this WDR based on the Project IS/MND, the application for this WDR, and other supplemental documentation.

All CEQA project impacts, including those discussed in subsection C below, are analyzed in detail in the Project Final IS/MND which is incorporated herein by reference. The Project IS/MND is available at: <https://ceqanet.opr.ca.gov/2019089033/2>

Requirements under the purview of the Water Board in the MMRP are incorporated herein by reference.

The Permittee's application for this WDR, including all supplemental information provided, is incorporated herein by reference.

C. Findings

The IS/MND describes the potential significant environmental effects to water resources and the lead agency found that changes or alterations that avoid or substantially lessen the significant environmental effect are within the responsibility and jurisdiction of the Water Board. Having considered the whole of the record, including comments received during the public review process, the Water Board makes the following findings:

Mitigation measures have been required in the Project which avoid or mitigate to a less than significant level the potentially significant environmental effect as described in the IS/MND.

1. Potentially Significant Impact

- a. Construction of the project will involve clearing and grading of construction sites, trenching for conduit installation, augering for wood pole installation, possible horizontal directional drilling (HDD) for installation of underground telecommunication lines, installation of new electrical equipment at four substations, installation of two new capacitors and three fiber optic repeater facilities, installation of new optical ground wire, improvement of existing access roads, and construction of new access roads. Ground-disturbing activities could expose soils to erosion and subsequent transport downstream either overland or within watercourses. Disturbed sediment could enter watercourses resulting in increased turbidity and alteration of channel characteristics that could reduce beneficial uses. Construction will involve the use of hazardous materials such as vehicle fuel, hydraulic fluid, oil, grease, solvents, paint, drilling muds, and concrete that if spilled or otherwise discharged to the ground surface could contaminate surface water or groundwater. Human wastes and trash from construction could be left and transported to watercourses to the detriment of surface water quality. If required, dewatering for trenches could encounter contaminated subsurface water that if discharged to the surface could contaminate surface waters. Foundations in soft or loose soil, or extending below the groundwater level, may require stabilization with a drilling mud slurry. HDD installation could result in frac-out that would have the potential for contamination of surface waters with drilling mud.
- b. Facts in Support of Finding: Development and implementation of an Erosion Control plan, including a Stormwater Pollution Prevention Plan (SWPPP), would ensure no degradation of water quality resulting from disturbance of ground surfaces by construction. Construction-related spills of hazardous materials and deposition of other wastes would be addressed by the SWPPP as well as by a Hazardous Materials and Waste Management Plan. While unlikely, due to the depth of groundwater throughout the project area, any groundwater encountered during trenching would be tested for contaminants and disposed of according to RWQCB requirements. If horizontal directional drilling is used, implementation of an HDD Fluid Management Plan would serve to reduce the possibility of a frac-out (release of drilling fluid through rock fractures) and ensure clean-up of any drilling mud contamination of surface waters.

Mitigation Measure HWQ-1: Implement an Erosion Control Plan.

SoCalGas shall develop and submit an Erosion Control Plan to the CPUC and BLM for approval at least 60 days prior to construction. The Erosion Control Plan may be part of the Stormwater Pollution Prevention Plan (SWPPP) and kept onsite and readily available on request. Soil disturbance at structures and access roads is to be minimized and designed to prevent long-term erosion.

Mitigation Measure HH-1: Prepare and implement a Hazardous Materials and Waste Management Plan. (The full text of this mitigation measure is provided in the Hazards and Hazardous Materials section of the Initial Study. The plan would address materials and waste transportation and handling, equipment and helicopter fueling and maintenance, and emergency release response measures.)

Mitigation Measure BR-7: Restore or revegetate temporary disturbance areas. (The full text of this mitigation measures is provided in the Biological Resources section of the Initial Study. This measure provides performance standards, including details of restoration planning, monitoring, and success standards. Implementation of this mitigation measure would effectively restore wildlife habitat values in temporarily disturbed work areas, or for areas that cannot be feasibly restored, would require compensation if appropriate.)

D. Approval of Environmental Document / Determination

The Water Board has determined that the Project, when implemented in accordance with the MMRP and the conditions in this WDR, will not result in any significant adverse water resource impacts. (Cal. Code of Regs., tit. 14, § 15096, subd. (h).)