
State Water Resources Control Board

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION
ORDER NO. WQ 2025-0033-DWQ AND
NOTICE OF APPLICABILITY FOR ENROLLMENT UNDER STATE WATER BOARD
GENERAL ORDER FOR THE CORPS' NATIONWIDE PERMITS
(ORDER NO. [WQ] 2020-0039-EXEC)**

Effective Date: Upon Deputy Director's Signature

Program Type: Fill/Excavation

Project Type: Wildfire Mitigation

Project: Multi-TD Brookside Deteriorated Pole Replacement Project
Regulatory Measure ID: 460529
WDID: SB25018IN

Applicant: Southern California Edison
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For further assistance, please call the State Water Resources Control Board (State Water Board) Staff listed above or (916) 322-7781 and ask to speak with the Wetlands Permitting and Enforcement II Unit Supervisor.

I. Summary

This Notice of Applicability for enrollment under the State Water Board General Order for the Nationwide Permits (Order No. [WQ] 2020-0039-EXEC; SWRCB ID SB20031GN; hereafter referred to as the General Order) is issued at the request of Southern California Edison (Applicant). The General Order can be accessed at [the Clean Water Act Section 401 - Certification and Wetlands Program, General Orders webpage](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2020) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2020). On May 2, 2025, the State Water Board received a complete Notice of Intent requesting authorization for the Applicant's Multi-TD Brookside Deteriorated Pole Replacement Project (Project). After reviewing the Notice of Intent, the State Water Board has determined that the Project meets General Order requirements for Nationwide Permit 57: Electric Utility Line and Telecommunications Activities.

This order also serves as an individual certification (Certification) for the Project enrolling under U.S. Army Corps of Engineers' Nationwide Permit 57 pursuant to Clean Water Act Section 401.

II. Project Description

As described in the Project Notice of Intent and supplemental information (hereafter referred to as the Application), which is incorporated herein by reference, the purpose of the Project is to remove and replace three wood utility poles with new poles, replace an anchor, and install a new anchor. The new composite pole, Pole 524118S (renumbered Pole 4958197E), will be set in a plastic Sonotube by helicopter and hand. A new wood pole, Pole 1593896E, will be set by a crane. A second new wood pole, Pole 45140S, will be set in a metal caisson by a crane. The Project activities will temporarily and permanently impact a stream channel.

III. Project Location

The Project is located at three separate locations in the city of Bishop, Inyo County, California. The Project coordinates are 37.3515844,°N, 118.4288734°W; 37.3515956,°N, 118.4302453°W; and 37.3471341,°N, 118.4170164°W.

IV. Receiving Waters Information

The Project is located within the jurisdiction of the Lahontan Regional Water Quality Control Board, Victorville Office (Lahontan Water Board). Receiving waters and groundwater potentially impacted by this Project are listed in Table 1. These waters are regulated in accordance with the applicable water quality control plan (Basin Plan) for the region and other plans and policies of the California Water Boards, which may be accessed online at [the State Water Boards' Plans and Policies webpage](http://www.waterboards.ca.gov/plans_policies/) (http://www.waterboards.ca.gov/plans_policies/).

Table 1: Receiving Water Information

| Impact Site ID | Waterbody Name | Impacted Aquatic Resource Type | Water Board Hydrologic Units | Receiving Waters | Receiving Waters Beneficial Uses | 303(d) Listing Pollutants |
|----------------|------------------------|--------------------------------|------------------------------|--------------------|---|---------------------------|
| Pole 524118S | Unnamed Stream Channel | Stream Channel | 603.20 | Bishop Creek Canal | MUN, AGR, GWR, REC1, REC2, COMM, COLD, WILD | Indicator Bacteria |
| Pole 1593896E | Unnamed Stream Channel | Stream Channel | 603.20 | Bishop Creek Canal | MUN, AGR, GWR, REC1, REC2, COMM, COLD, WILD | Indicator Bacteria |
| Pole 45140S | Unnamed Stream Channel | Stream Channel | 603.20 | Bishop Creek Canal | MUN, AGR, GWR, REC1, REC2, COMM, COLD, WILD | Indicator Bacteria |

V. Direct Impacts to Waters of the State

Total Project fill/excavation quantities for all impacts are summarized in Table 2.

Table 2: Total Project Fill/Excavation Quantity to Stream Channels

| Temporary Impact ¹ | Permanent Impact - Physical Loss of Area | Permanent Impact - Degradation of Ecological Condition Only |
|-------------------------------|--|---|
| 0.005 acres 65 linear feet | 0.001 acres 6 linear feet | 0 acres 0 linear feet |

VI. Description of Indirect Impacts to Waters of the State

The State Water Board recognizes the potential for indirect impacts to waters of the state associated with the Project. Potential indirect adverse effects include but are not limited to: increased sediment loading to streams from riparian and/or upland areas used for access or staging areas, possibility of introducing invasive species into the Project areas, and changing timing of runoff delivery to streams in the Project area. The Project, as designed, will not have significant indirect impacts to waters of the state.

¹ Includes only temporary direct impacts to waters of the state and does not include upland areas of temporary disturbance which could result in a discharge to waters of the state. Temporary impacts, by definition, are restored to pre-project conditions and therefore do not include a physical loss of area or degradation of ecological condition.

VII. Conditions

A. Scope of Authorization

The Project may proceed only as described in the Application submitted to the State Water Board by the Applicant and in accordance with the conditions in State Water Board General Order No. [WQ] 2020-0039-EXEC and this Notice of Applicability. This Certification and coverage under the General Order is no longer valid if the Project (as described) is modified. A copy of the General Order and its attachments can be found on the State Water Resources Control Board's [General Order Website](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2020) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2020).

B. Avoidance and Minimization

In order to avoid and minimize impacts to waters of the state and their designated beneficial uses, the Applicant will follow the avoidance and minimization measures as proposed in their Application. Each avoidance and minimization measure demonstrates that a sequence of actions has been taken to first avoid, then to minimize, and lastly compensate for loss of or significant adverse impacts to beneficial uses of waters of the state that cannot be practicably avoided or minimized.

The Water Board may approve a project only if the applicant has demonstrated that a sequence of actions has been taken to first avoid, then minimize, and, lastly, compensate for loss of or significant adverse impacts to beneficial uses of waters of the state. (Dredge or Fill Procedures, section IV.B.1.a.)

C. Mitigation for Temporary and Permanent Impacts

- i. All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of construction activities in compliance with the General Order and according to the restoration plan submitted by the Applicant in the Application.
- ii. The Applicant has provided a letter of credit in favor of the State Water Board to provide security against a default in providing the required compensatory mitigation. By January 15, 2026, the Applicant shall submit a mitigation plan to the State Water Board in accordance with section VI.G.3.e.ii of the General Order. By June 1, 2026, the applicant shall submit proof of credit purchase in accordance with section VI.G.3.e.ii.3 of the General Order.
- iii. Total required Project compensatory mitigation information for permanent physical loss of area shall be greater than or equal to the Project's permanent impact totals listed in Table 2, above, in the form of mitigation bank or in-lieu fee credit purchases in quantities consistent with the mitigation ratios provided in section VI.G.3.e.ii.2 of the General Order.

VIII. California Environmental Quality Act

The State Water Board has determined that the Project is exempt from review under the California Environmental Quality Act pursuant to California Code of Regulations, title 14, section 15301. Additionally, the State Water Board finds that no exceptions to the exemptions apply to the activities approved by this Notice of Applicability.

IX. Certification Fees

The Project is being implemented as part of the Applicant's Wildfire Mitigation Plan. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3) and falls under Category H – Wildfire Mitigation by Electrical Corporations, Electric Utilities, and Electrical Cooperatives.

X. Public Notice

The State Water Board provided public notice of the Application pursuant to California Code of Regulations, title 23, section 3858 from March 24, 2025 to April 14, 2025. The State Water Board did not receive any comments during the comment period.

XI. Reporting and Notification Requirements

The Applicant shall submit an Annual Report each year on January 15 until a Notice of Project Complete Letter is issued to the Applicant. Notices and reporting shall be provided to the State Water Board according to section VI.E, "Application for Coverage and Termination," of the General Order.

The Applicant shall submit Report Types 2 and 3 as described in Attachment B, "Report and Notification Requirements" of the General Order. The Applicant must also submit Report Types 4 through 9 if the Project encounters the conditions described in these Report Types. The Applicant must submit all reports and information required under this Certification according to the Report Submittal Instructions found in Attachment B, "Report and Notification Requirements," of the General Order.

XII. Water Quality Certification

I hereby issue this Notice of Applicability for the Multi-TD Brookside Deteriorated Pole Replacement Project, certifying that as long as all of the conditions listed in the General Order are met, any discharge from the referenced Project will comply with the applicable provisions of Clean Water Act 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).

As a water quality certification and enrollment under State Water Board General Order No. [WQ] 2020-0039-EXEC, this Certification and Notice of Applicability serve as

waste discharge requirements pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.). State Water Board Order No. [WQ] 2020-0039-EXEC serves as waste discharge requirements in accordance with State Water Board Water Quality General Order No. 2003-0017-DWQ. The State Water Board will file a Notice of Exemption (NOE) at the State Clearinghouse within five (5) working days of issuance of this Notice of Applicability.

Except insofar as may be modified by any preceding conditions, all Notice of Applicability actions are contingent on: (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of the General Order and the attachments to the General Order; and, (b) compliance with all applicable requirements of Statewide Water Quality Control Plans, and the Regional Water Boards' Water Quality Control Plans.

May 30, 2025
Date

Annalisa Kihara, PE Digitally signed by Annalisa Kihara, PE
Date: 2025.05.30 11:05:40 -07'00' FOR
Phillip Crader, Deputy Director
Division of Water Quality