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GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

August 22, 2019

Certified Mail: 7004 1160 0002 0466 6036

Ammon Rice
Sacramento Municipal Utility District
6201 S Street, MS H201
Sacramento, CA 95817
Ammon.Rice@SMUD.org

**Subject: NOTICE OF APPLICABILITY OF STATE WATER BOARD
CERTIFICATION OF THE 2017 NATIONWIDE PERMITS –
NATIONWIDE PERMIT 12: UTILITY LINE ACTIVITIES – CORDOVA-
KIEFER 69 kV LINE MITIGATION PROJECT, UD058323 POLE
REPLACEMENT PROJECT**

Dear Ammon Rice,

Enclosed please find a Notice of Applicability (NOA) authorized by State Water Resources Control Board Deputy Director for the Division of Water Quality, Karen Mogus. This NOA is issued to Sacramento Municipal Utility District (SMUD) for the Cordova-Kiefer 69 kV Line Mitigation Project, UD058323 Pole Replacement project (Project). The State Water Board Certification of the 2017 Nationwide Permits (General Order) is included as part of this NOA and is available for download at [the State Water Board's Certification General Orders web page](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2017) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2017). Attachment B of the General Order includes the General Order's Reporting and Monitoring Requirements.

This NOA is issued in response to an application submitted by SMUD for proposed Project discharge to waters of the state, to ensure that the water quality standards for all waters of the state impacted by the Project are met. You may proceed with your Project according to the terms and conditions of the enclosed NOA and General Order.

If you require further assistance, please contact me by phone at (916) 327-8117 or by email at Alexander.Lopez@waterboards.ca.gov. You may also contact Beth Payne, Chief of the Wetlands Permitting and Planning Unit, by phone at (916) 341-5579, or by email at Elizabeth.Payne@waterboards.ca.gov.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

Cordova-Kiefer 69 kV Line Mitigation Project,
UD058323 Pole Replacement
Sacramento Municipal Utility District

Reg Measure ID: 431654

Sincerely,

A handwritten signature in blue ink, appearing to read "Alex Lopez", written in a cursive style.

Alex Lopez, Environmental Scientist
Division of Water Quality

Enclosures (1): NOA for the Cordova-Kiefer 69 kV Line Mitigation Project,
UD058323 Pole Replacement (Project)

cc: [Via email only] (w/ enclosure):

Jeffery Little, Vice President
Sycamore Environmental Consultants, Inc.
Jeff.Little@SycamoreEnv.com

Sam Ziegler, Chief
Wetlands Regulatory Office (WTR-8)
U.S. Environmental Protection Agency, Region 9
Ziegler.Sam@epa.gov

Michael S. Jewell, Chief
Regulatory Branch, Sacramento District
US Army Corps of Engineers
Michael.S.Jewell@usace.army.mil

Tina Bartlett
Regional Manager
California Dept. of Fish and Wildlife, North Central Region
Tina.Bartlett@wildlife.ca.gov

Karen Mogus, Deputy Director
Division of Water Quality
State Water Resources Control Board
Karen.Mogus@waterboards.ca.gov

CWA Section 401 WQC Program
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Stephanie Tadlock
Program Manager
Central Valley Regional Water Quality Control Board, Rancho Cordova Office
Stephanie.Tadlock@waterboards.ca.gov

State Water Resources Control Board

NOTICE OF APPLICABILITY FOR NATIONWIDE PERMIT 12: UTILITY LINE ACTIVITIES

Effective Date: August 22, 2019

Program Type: Fill/Excavation

Project Type: Overhead Utility

Project: Cordova-Kiefer 69 kV Line Mitigation Project, UD058323
Pole Replacement
Regulatory Measure ID: 431654
WDID: 5A34CR00771

Applicant: Sacramento Municipal Utility District
Applicant Contact: Ammon Rice
6201 S Street, MS H201
Sacramento, CA 95817
Phone: (916) 732-7466
Email: Ammon.Rice@SMUD.org

State Water Board Staff: Alex Lopez
Environmental Scientist
1001 I Street
Sacramento, CA 95814
Phone: (916) 327-8117
Email: Alexander.Lopez@waterboards.ca.gov

State Water Board Contact Person:

For further assistance, please call State Water Resources Control Board (State Water Board) Staff listed above or (916) 341-5478 and ask to speak with the Wetlands Permitting and Planning Unit Supervisor.

I. Action

This document serves as a Notice of Applicability (NOA) for enrollment under the State Water Resources Control Board (State Water Board) Certification of the 2017 Nationwide Permits (SWRCB ID SB17001GN; hereafter referred to as the General Order) at the request of Sacramento Municipal Utility District (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) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html). On August 8, 2019, the State Water Board received a complete Notice of Intent (NOI) requesting authorization for the Applicant's Cordova-Kiefer 69 kV Line Mitigation Project, UD058323 Pole Replacement (Project). After reviewing the NOI, the State Water Board has determined that the Project meets General Order requirements for Nationwide Permit 12: Utility Line Activities.

II. Project Purpose

As described in the Project NOI and supplemental information (hereafter referred to as the Application), which is incorporated herein by reference, the purpose of the Project is to remove a deteriorating wood electricity pole, located within a jurisdictional wetland, and to replace it with a steel pole in an adjacent upland area.

III. Project Location

The Project is located approximately 450 feet west of the intersection of Jackson Road and Meiss Road, in the unincorporated community of Sloughhouse, Sacramento County, California. The Project coordinates are 38°29'49.65" N, 121°11'54.25" W.

IV. Receiving Waters Information

The Project is located within the jurisdiction of the Central Valley Regional Water Quality Control Board, Rancho Cordova Office. 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	303d Listing Pollutant
1	Unnamed floodplain wetland	Wetland	531.12	Lower Cosumnes River	MUN, AGR, REC-1, REC-2, WARM, COLD, MIGR, SPWN, WILD	Invasive Species, Toxicity

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 Wetlands

Temporary Impact ¹	Permanent Impact - Physical Loss of Area	Permanent Impact - Degradation of Ecological Condition Only
0.0002 acres	NA	NA

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.

VII. 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.

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.

VIII. Mitigation for Temporary Impacts

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.

IX. California Environmental Quality Act (CEQA)

The State Water Board has determined that the Project is exempt from review under the California Environmental Quality Act (CEQA) 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 NOA.

X. Certification Fees

A fee payment of \$1638 was received by the State Water Board on June 18, 2019. 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 E - Low Impact Discharges (fee code 87).

XI. Authorization

To comply with State law, this Project must proceed as described in the Application submitted to the State Water Board by the Applicant and in accordance with the conditions in the General Order. Coverage under the General Order is no longer valid if the Project (as described) is modified. The Project must proceed in accordance with the requirements contained in this NOA and the General Order.

The Applicant should become familiar with the contents of the General Order. A copy of the General Order and its attachments can be found on [the State Water Resources Control Board's website](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/nw_p_go.pdf) (http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/nw_p_go.pdf).

XII. Reporting and Notification Requirements

The Applicant shall submit an Annual Report each year on January 15 until a Notice of Project Complete is issued to the Applicant. Notices and reporting shall be provided to the State Water Board according to section XIII.A, "Notification Requirements," of the General Order.

Electronic Document Submittal: The Applicant must submit all reports and information required under this Certification according to the Report Submittal Instructions found in Attachment B, "Reporting and Notification Requirements," of the General Order. Each electronic document must be submitted as a single file, in Portable Document Format

(PDF), and converted to text searchable format using Optical Character Recognition (OCR). Documents over 50 megabytes (MB) will not be accepted via email and must be placed on a disc and delivered to the addresses listed above.

XIII. Water Quality Certification

I hereby issue this Notice of Applicability for the Cordova-Kiefer 69 kV Line Mitigation Project, UD058323 Pole Replacement, 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).

The State Water Board will file a Notice of Exemption (NOE) at the State Clearinghouse within five (5) working days of issuance of this NOA. This discharge is also regulated pursuant to State Water Board Water Quality Order No. 2003-0017-DWQ which authorizes Water Quality Certifications to serve as Waste Discharge Requirements pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.).

Except insofar as may be modified by any preceding conditions, all NOA 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 Policies, and the Regional Water Boards' Water Quality Control Plans and Policies.

 FOR KLM

Karen Mogus, Deputy Director
Division of Water Quality



Date