

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program

**Public Notice
of Application for Water Quality Certification**

Pursuant to federal law (Title 33, United States Code, section 1341; Clean Water Act section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (Regional Water Boards) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Resources Control Board (State Water Board) has this responsibility for projects affecting waters within multiple Regional Water Board jurisdictions.

The following information is provided in satisfaction of the public notice requirements of section 3858, Title 23, of the California Code of Regulations, which govern the State's Certification Program.

Applicant: Southern California Edison

Applicant Contact: Hazem Gabr, Southern California Edison

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Project Name: Tehachapi Renewable Transmission Project: Segments 7 and 8

Date of Application: February 15, 2011

**Public Notice for Amendment of Water Quality Certification
Southern California Edison
Tehachapi Renewable Transmission Project: Segments 7 and 8
Affected Counties: Los Angeles, San Bernadino**

On December 12, 2010, the State Water Board issued a Federal Clean Water Act, section 401 Water Quality Certification for the Southern California Edison Company (SCE) Tehachapi Renewable Transmission Project (TRTP): Segments 7 and 8. On February 15, 2011, the State Water Board received an application from SCE, requesting an amendment of the 401 Water Quality Certification for TRTP: Segments 7 and 8. This request was triggered by changed field conditions due to above-average winter precipitation and the discovery of waters of the U.S. within the project footprint at Structures M24-T1 and M57-T1 in Tonner Canyon. In addition, SCE has requested a permit amendment to conduct non-native vegetation removal in Features 11-94-S-1A, M-1-S-1 and M-1-S-2 located within the Mesa Contractor Yard.

Tonner Canyon, California received 10.37 inches of rainfall during a 7 day rain event in December 2010. The annual average rainfall in December for Brea, California is 1.29 inches. During a pre-construction survey at Structures M24-T1 and M57-T1, field staff identified a potential jurisdictional drainage within the work limits. This feature was previously identified as a non-jurisdictional swale, which lacked a bed and bank and ordinary high water mark (OHWM).

SCE conducted a jurisdictional delineation survey to reevaluate the drainage feature. The results of the delineation demonstrated that the feature (8-33-S-200) is an ephemeral drainage. Based on the evaluation of ICF Regulatory Specialists (consultants for SCE), it was determined that the ephemeral drainage would be under the jurisdiction of the U.S. Army Corps of Engineers, the State Water Board, and the California Department of Fish and Game

The construction of two new transmission towers and a permanent access road at Structures M24-T1 and M57-T1 will result in 0.024 acre (346 linear feet) of permanent impact to waters of the U.S. in coast live oak woodland habitat. No temporary impacts to waters will occur at the site. The permanent impact will be mitigated by creating 0.036 acre of waters with coast live oak woodland habitat at the Lemon Creek Restoration Site. This results in a 1.5 to 1 ratio of compensatory mitigation to impact, as required by the Final Environmental Impact Report/Final Environmental Impact Statement (FEIR/FEIS) for the Tehachapi Renewable Transmission Project (December 17, 2009). This mitigation is consistent with the mitigation requirements approved in the original water quality certification for the project. Permanent and temporary impacts to waters covered under the original water quality certification are also being mitigated at the Lemon Creek Restoration Site. Non-native vegetation removal within the Mesa Contractor Yard will temporarily impact 0.63 acre (2516 linear feet) of jurisdictional waters. No additional compensatory mitigation is proposed for non-native vegetation removal because it will have a beneficial effect on the functions and values of the drainages. Total project impacts to waters of the U.S., which include the proposed amendment and the original water quality certification project, are 0.09 acre (586 linear feet) of permanent impacts and 1.58 acres (6538 linear feet) of temporary impacts. All impacts to waters of the U.S. on TRTP: Segments 7 and 8 that require mitigation will be mitigated at the Lemon Creek Restoration Site. For more information on the project, review the original Public Notice (issued on April 20, 2010) at the following link:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/notices.shtml

Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and the Porter-Cologne Water Quality Control Act. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact Bob Solecki at (916) 341-5483 or rsolecki@waterboards.ca.gov

Date Posted: April 29, 2011

State Water Resources

Control Board Staff Contact:

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Note: No regulatory decision on the application is implied or intended in this public notice.