
Central Valley Regional Water Quality Control Board

30 April 2025

Emily Newell
Pacific Power,
825 NE Multnomah Street, Suite 1700
Portland, OR 97232

**NOTICE OF APPLICABILITY: STATE WATER RESOURCES CONTROL BOARD
WATER QUALITY ORDER NO. 2004-0004-DWQ, STATEWIDE GENERAL WASTE
DISCHARGE REQUIREMENTS FOR DREDGED OR FILL DISCHARGES TO
WATERS DEEMED BY THE U.S. ARMY CORPS OF ENGINEERS TO BE OUTSIDE
OF FEDERAL JURISDICTION; PACIFIC POWER, BATCH 28 POLE REPLACEMENT
PROJECT (WDID NO. 5A25CR00068), MODOC COUNTY**

On 28 March 2025, Pacific Power (Applicant) submitted a Notice of Intent (NOI) requesting coverage for the Batch 28 Pole Replacement Project under State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction (General Order). After review of the NOI submitted by the Applicant, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the Batch 28 Pole Replacement Project (Project) qualifies for enrollment under this General Order.

The Central Valley Water Board is certifying this Project under Water Quality Order No. 2004-0004-DWQ. This Notice of Applicability (NOA) is being issued at the request of Pacific Power (hereinafter Enrollee) under the General Order pursuant to Section 3838 of the California Code of Regulations.

Effective Date: 30 April 2025

Expiration Date: 30 April 2030

A copy of the General Order is enclosed. You can also access the General Order on [State Water Resources Control Board's Adopted Orders Web Page](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf).

The Project must proceed in accordance with the requirements contained in this NOA and the General Order. The Project is described in the NOI Form requesting coverage and supplementary information (Application Package). If the Project is modified from

that described in the Application Package, then coverage under the General Order is no longer valid.

I. Project Description

The purpose of the project is to perform maintenance on the utility transmission line by replacing rapidly deteriorating power poles at three discrete locations. Pole replacement activities will consist of minor excavation adjacent to old power pole locations using an auger to replace the aging poles. Once new power pole holes are excavated, the old utility poles will be removed, and new poles will be installed. Each excavated utility pole hole will be backfilled and returned to pre-project contours. Only one pole (Pole 7/071) is located in a water of the state, and thus subject to the General Order. The other two poles are located in upland areas, east and west of Pole 7/071.

Each pole replacement work area will consist of a 25-foot radius surrounding the pole; however, access widths will be limited to the width of the vehicles (less than 10 feet wide). Pole replacement work areas will be accessed from existing access roads or overland along the transmission line right-of-way (ROW). The total temporary workspace, inclusive of overland access routes, will be up to approximately 0.92 acre along approximately 4,000 linear feet of transmission line. Of this larger area, approximately 1,200 linear feet of transmission line traverses a seasonal emergent wetland. Access to Pole 7/071 will occur along the shortest route from upland areas with the least amount of vegetation (up to 500 feet distance), with a potential access area of 0.11 acre. Vehicles used for access within the freshwater emergent wetland portion of the temporary workspace will have rubber tires or tracks to limit wetland disturbance. Work will be conducted during the dry season to further reduce impacts. All impacts will be temporary except for the 2- to 3-foot diameter location for each of new poles installed, resulting in less than 13 square feet and 8 cubic yards of excavation and fill.

II. Project Location

County: Modoc County

Nearest City: Canby, CA

Latitude: 41.4947° and Longitude: -120.9824°

Maps showing the Project location are found in Attachment A of this NOA.

III. Project Impact and Receiving Waters Information

The Project is located within the jurisdiction of the Central Valley Water Board. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, February 2019 (Basin Plan). The plan for the region and other plans and policies may be accessed at the [State Water Resources Control Board's Plans and Policies Web page](http://www.waterboards.ca.gov/plans_policies/) (http://www.waterboards.ca.gov/plans_policies/). The Basin Plan includes water

quality standards, which consist of existing and potential beneficial uses of waters of the state, water quality objectives to protect those uses, and the state and federal antidegradation policies.

It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This NOA promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

Project impact and receiving waters information can be found in Attachment B. Table 1 of Attachment B shows the receiving waters and beneficial uses of waters of the state impacted by the Project. Individual impact location and quantity are shown in Table 2 of Attachment B.

IV. Description of Direct Impacts to Waters of the United States

Total Project fill/excavation quantities for all impacts are summarized in Tables 1 and 2.

Table 1: Total Project Fill/Excavation Quantity for Temporary Impacts

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Wetland	0.0003	8	6

Table 2: Total Project Fill/Excavation Quantity for Permanent Impacts

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.0003	10	4

V. California Environmental Quality Act (CEQA)

The Central Valley Water Board has determined that the Project is categorically exempt from review under CEQA pursuant to California Code of Regulations, title 14, section 15061. Specifically, the issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations, Title 14, section 15302, Replacement or Reconstruction. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

VI. Petitions for Reconsideration

Any person aggrieved by this action may petition the State Water Board to reconsider this Order in accordance with California Code of Regulations, title 23, section 3867. A petition for reconsideration must be submitted in writing and received within 30 calendar days of the issuance of this Order.

VII. Fees Received

An application fee of \$4212.00 was received on 3 April 2025. 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) with the dredge and fill fee calculator.

VIII. Compensatory Mitigation

No compensatory mitigation was required for permanent impacts because of the limited scope and nature of the impacts. To the extent feasible, the Permittee is required to restore and stabilize the area following disturbance.

IX. Central Valley Regional Water Quality Control Board Contact:

If you have any questions regarding this Notice of Applicability, please contact Jerred Ferguson at (530) 224-4784 or Jerred.Ferguson@waterboards.ca.gov.

Original Signed by Clint E. Snyder, AEO

For Patrick Pulupa, Executive Officer

Central Valley Regional Water Quality Control Board

4/30/2025

Date

Enclosure: State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction

Attachments: Attachment A - Project Maps
Attachment B - Receiving Water, Impact, and Mitigation Information
Attachment C - CEQA

cc
via email: U.S. EPA, Region 9, San Francisco
Water Quality Certification Program, SWRCB, Sacramento
Hillary Regnart, U.S. Army Corps of Engineers, Sacramento District
Bill Hall, SWCA Environmental Consultants, Portland, OR

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Figure 1: Project Location Map

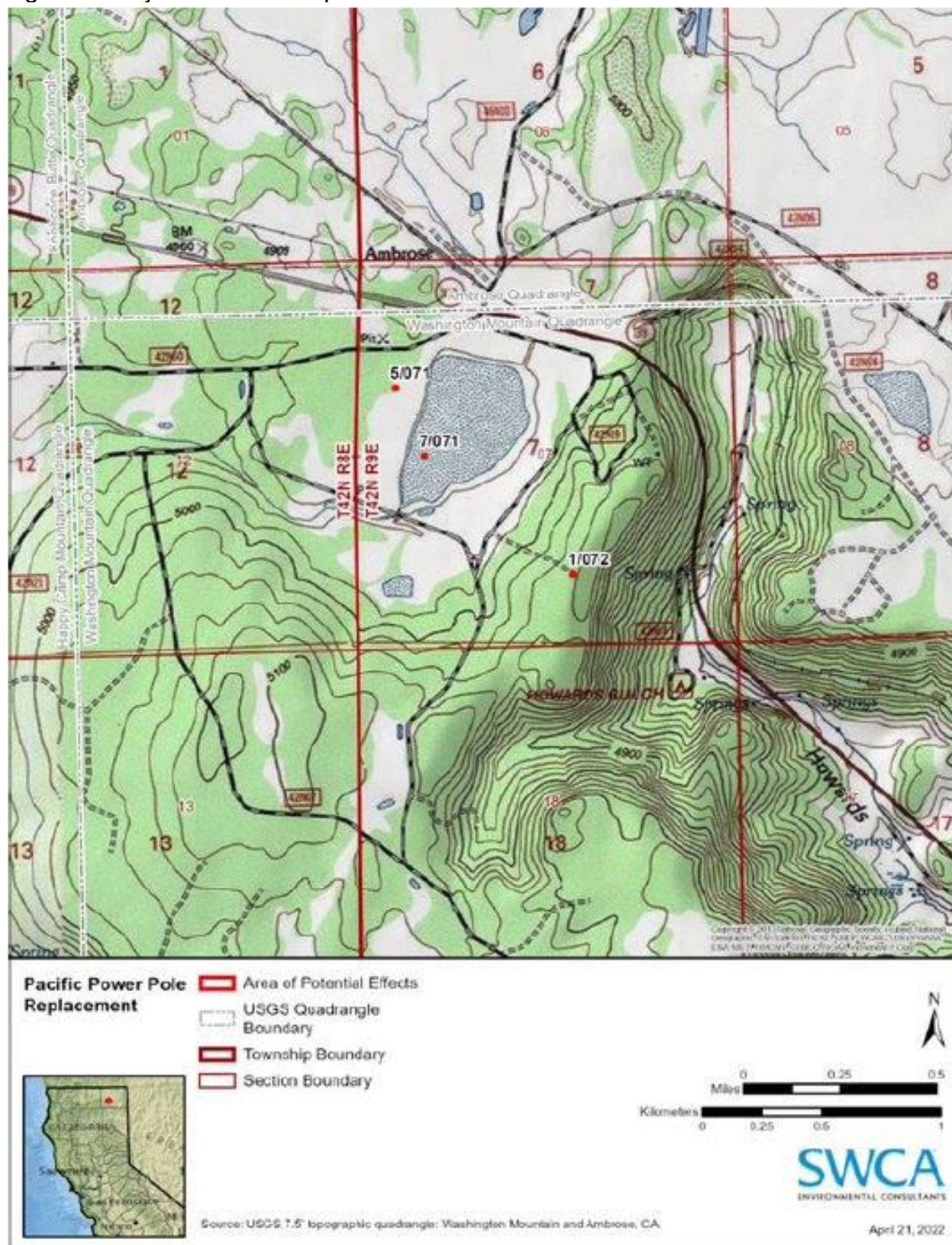
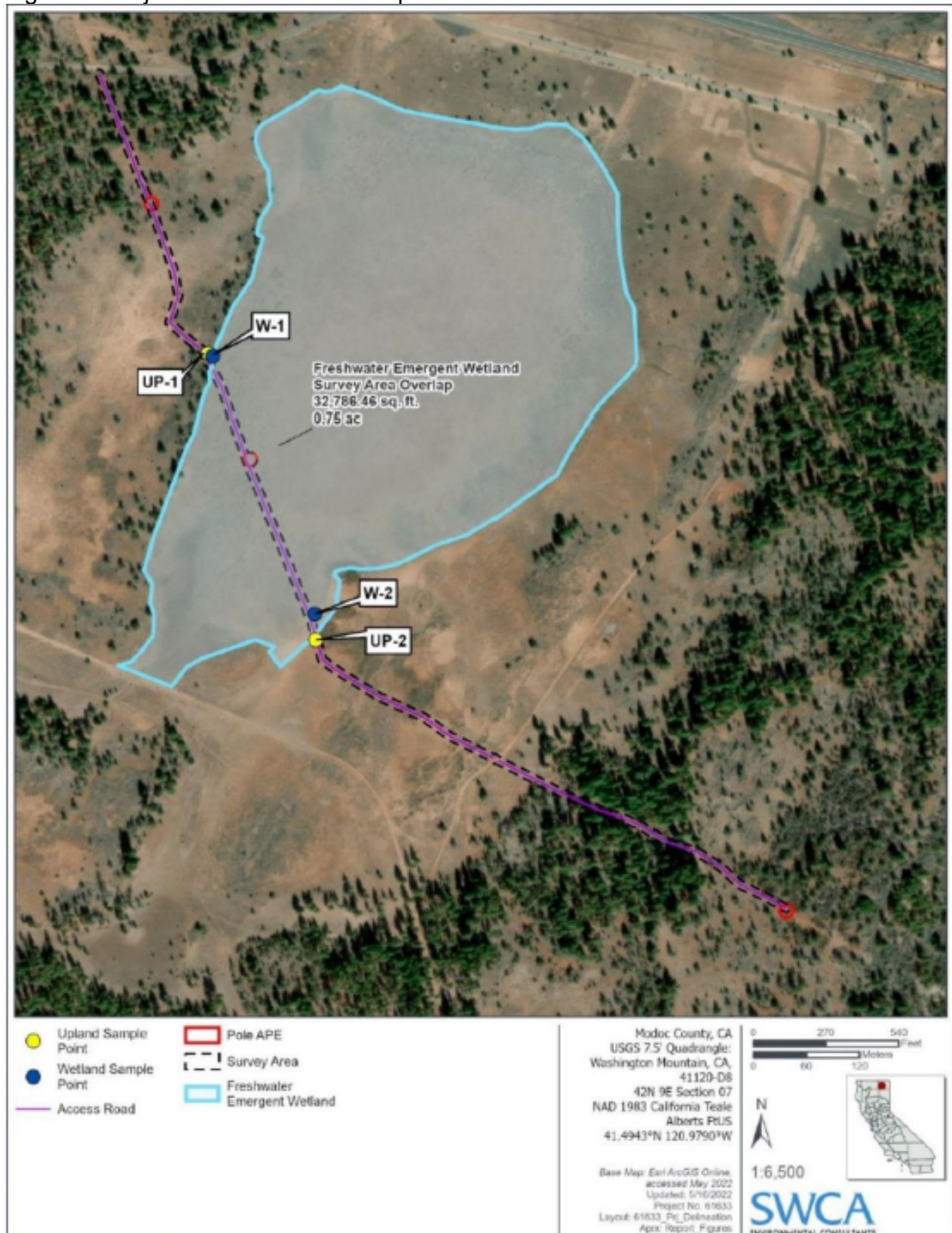


Figure 2: Project Site Delineation Map



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Receiving Waters, Impacts and Mitigation Information

The following table shows the receiving waters associated with each impact site.

Table 1: Receiving Waters Information

Site ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	California Rapid Assessment Method (CRAM) ID
Batch 28 Pole Replacement Project (wetland)	Unnamed Wetland	Wetland	526.63	Upper Pit River (from confluence of North and South forks to Shasta Lake)	MUN, AGR, REC-1, REC-2, WARM, COLD, SPWN, WILD	Nutrients; Organic Enrichment/Low Dissolved Oxygen; Iron; Oxygen, Dissolved; Toxicity; Aluminum	Not Applicable

Individual Direct Impact Locations

The following tables show individual impacts.

Table 2: Individual Temporary Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Batch 28 Pole Replacement Project (wetland)	41.4947°	-120.9824°	No	0.0003	8	6

Table 3: Individual Permanent Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Batch 28 Pole Replacement Project (wetland)	41.4947°	-120.9824°	No	0.0003	10	4

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FINDINGS FOR CEQA EXEMPT PROJECT

The Central Valley Water Board has determined that the Project is exempt from review under CEQA pursuant to California Code of Regulations, title 14, section 15061.

Specifically, the issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations, Title 14, section 15302, Replacement or Reconstruction. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Additionally, the Central Valley Water Board concludes that no California Code of Regulations, title 14, section exceptions to the CEQA exemption apply to the activities approved by this Order.

The Central Valley Water Board will file a Notice of Exemption with the State Clearinghouse within five (5) working days from the issuance of this Order. (California Code of Regulations., title 14, section 15062.