SIGNATORY REQUIREMENTS

All Documents Submitted In Compliance With This Order Shall Meet The Following Signatory Requirements:

1. All applications, reports, or information submitted to the State Water Resources Control Board (State Water Board) must be signed and certified as follows:

   (a) For a corporation, by a responsible corporate officer of at least the level of vice- president.
   (b) For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
   (c) For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.

2. A duly authorized representative of a person designated in Items 1.a through 1.c above may sign documents if:

   (a) The authorization is made in writing by a person described in Items 1.a through 1.c above.
   (b) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
   (c) The written authorization is submitted to the State Water Board Executive Director.

3. Any person signing a document under this section shall make the following certification:

   "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

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 WDRs)

I. FINDINGS

The State Water Resources Control Board (SWRCB) finds that:

Reasons for issuing these General WDRs

1. Section 13260(a) of the California Water Code (Water Code) requires that any person discharging waste or proposing to discharge waste within any region, other than to a community sewer system, which could affect the quality of the waters of the State[1], file a report of waste discharge (ROWD). The discharge of dredged or fill material may constitute a discharge of waste that could affect the quality of waters of the State.

2. California has largely relied upon its authority under section 401 of the federal Clean Water Act (CWA) (33 U.S.C. § 1341) to regulate discharges of dredged or fill material to California waters. That section requires an applicant to obtain "water quality certification" from California that the project will comply with State water quality standards before certain federal licenses or permits may be issued. The permits subject to section 401 include permits for the discharge of dredged or fill materials (CWA section 404 permits) issued by the U.S. Army Corps of Engineers (ACOE).

3. Given the regulatory process employed under section 401, waste discharge requirements under the Porter-Cologne Water Quality Control Act were typically waived for projects that required certification. Regional Water Quality Control Board (RWQCB) waivers also applied to discharges outside of ACOE jurisdiction. However, these waivers expired as of January 1, 2003 pursuant to the requirements of SB 390. These General WDRs regulate some of the activities for which WDRs were previously waived.

4. The certification process under section 401 only applies to those waters that are subject to the reach of the CWA. The CWA applies to "navigable waters," which are defined in the CWA as "waters of the United States." The term "waters of the United States" is defined expansively in 33 Code of Federal Regulations (CFR), part 328. In 2001, the U.S. Supreme Court issued a decision in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001) ("*SWANCC*"), which held that certain "isolated" waters are not subject to CWA jurisdiction merely because they are frequented by migratory birds that cross state lines. The full implications of SWANCC are yet to be determined in the federal courts, but as a result

[1] "Waters of the State" as defined in Water Code section 13050(e).

of the decision, many projects that previously would have required a section 404 permit now no longer need one. From January 1, 2001 to December 31, 2003, the ACOE disclaimed jurisdiction over 160 water bodies comprising 449 acres of waters of the state, including 251 acres of wetlands, 121 acres of riparian area, and 77 acres of other waters (these figures are under-reported because 24 percent of the jurisdictional disclaimers did not specify the sizes of the disclaimed waterbodies). The prospect of issuing waste discharge requirements for each of the now non-federal waters, especially in a time of budgetary contraction, is daunting. Many of the projects that were traditionally subject to certification requirements involved small discharges with few or no permanent impacts. It is the intent of these General WDRs to regulate a subset of the discharges that have been determined not to fall within federal jurisdiction, particularly those projects involving impacts to small acreage or linear feet and those involving a small volume of dredged material.

5. Wetlands, riparian areas, and headwaters are shallow waters of the state, which are by their nature affected most often and severely by filling and excavation. Regulatory attention to these water bodies is necessitated by the State "No Net Loss" Policy for wetlands (Executive Order W-59-93); the high habitat value of these waters; the basin-wide value of these waters for pollutant removal, floodwater retention, channel stability, and habitat connectivity; the high number of special-status species associated with these waters and their associated habitats; the high percentage of historic losses of these waters in California; the vulnerability of these waters to future impacts from projected population growth and land development; and the high level of public interest in these waters.

6. Water Code section 13263(a) requires that waste discharge requirements (WDRs) be prescribed as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. Such WDRs must implement any relevant water quality control plans, taking into consideration beneficial uses to be protected, the water quality objectives reasonably required for those purposes, other waste discharges, the need to prevent nuisance, and the provisions of section 13241 of the Water Code.

7. Water Code section 13263(i) authorizes the SWRCB to prescribe general WDRs for a category of discharges if the discharges are produced by the same or similar operations; the discharges involve the same or similar types of waste; the discharges require the same or similar treatment standards; and the discharges are more appropriately regulated under general discharge requirements than individual discharge requirements.

8. The discharges authorized by these General WDRs meet the criteria for general WDRs set forth in Water Code section 13263(i) because they are all produced by dredging or filling operations; they all involve the discharge of earth, rock, or similar solid materials; they are all limited in size per the terms of the WDRs; they all require similar mitigation techniques to avoid, minimize, and/or compensate for their adverse impacts; and they are all relatively small surface water bodies or water body segments that have been deemed by ACOE to be "isolated," do not meet the federal wetland criteria, or are above the "line of ordinary high water" limit of federal jurisdiction. They are appropriately regulated under General WDRs because of their similar nature, large numbers, and amenability to being regulated through the use of similar discharge restrictions, as specified in these General WDRs. Regulation of

such discharges by these General WDRs will allow the SWRCB and RWQCBs to direct limited staff time to larger, more complex, and potentially more damaging discharges to waters deemed to be outside of federal jurisdiction.

Eligibility Criteria

9. These General WDRs are restricted to dredged or fill discharges of not more than two-tenths (0.2) of an acre and 400 linear feet for fill and excavation discharges, and of not more than 50 cubic yards for dredging discharges. Projects that may be covered under these General WDRs include land development, detention basins, disposal of dredged material, bank stabilization, revetment, channelization, and other similar projects. These size maximums help limit the potential environmental impact of the discharges and make them amenable to similar discharge restrictions, while permitting about half of the projects discharging to non-federal waters, as projected from historical data on discharge sizes. The size and volume restrictions are appropriate because larger projects involve a significantly greater risk to the environment and are more appropriately regulated by individual WDRs.

   Absent a potential effect on the quality of waters of the state, no notification is required under these General WDRs.[2] The "quality of waters" refers to chemical, physical, biological, bacteriological, radiological, and other properties and characteristics of water which affects its use.[3] Because of the variability, complexity, and interactions of the factors affecting the quality of waters, it is not possible to provide advice on the kind, size, location, or duration of discharges that can affect water quality under all circumstances. Generally, discharges of dredged, fill, or excavated material to a wetland, or to the active channel or bed of a waterbody will require regulation. Discharges to a riparian area or to an area in proximity to a waterbody can affect the quality of the water if they directly or indirectly result in a discharge to the water (e.g., via stormwater flows, during flood events, or by generating pollutants or increased runoff); are associated with a change in the nature of vegetation that could affect water quality (e.g., by affecting pollutant removal, stream shading, or bank stability); or change the hydrologic or geomorphologic characteristics of the waterbody during some flow condition.

   These General WDRs do not set a lower size limit below which a Notice of Intent is not required. Neither the Porter-Cologne Water Quality Control Act nor the federal CWA establish a lower size threshold for permitting. If a lower threshold were established in these General WDRs, discharges below that threshold would be subject to regulation under individual WDRs or an individual waiver of WDRs, thus defeating the purpose of these General WDRs. Moreover, size is not the sole factor dictating the value of a wetland or other water. Small, strategically placed waters, or segments of waters, can play important roles in supporting local habitat, habitat connectivity, pollutant removal, floodwater attenuation, and other beneficial uses. In addition, without a reporting requirement, there would be no way for the State to ensure that multiple small discharges will not have significant cumulative effects.

10. Discharges of fill can directly or indirectly destabilize the channel or bed of a receiving water by changing geomorphic parameters, including hydrologic characteristics, sediment characteristics, or stream grade. Such destabilization diminishes the ability of the water body

[2] Water Code section 13260
[3] Water Code section 13050(g)

to support designated beneficial uses. Quantification and mitigation of such impacts may require detailed project-specific analyses. Therefore, these General WDRs do not authorize discharges that could destabilize the channel or bed of a receiving water.

11. In urbanizing basins or other situations, a large number of relatively small projects potentially eligible for these General WDRs, in their aggregate, may adversely impair the ability of the water body to support beneficial uses. Quantification and mitigation of such impacts may require basin-wide analyses. Therefore, these General WDRs do not authorize discharges that, when considered in conjunction with other potential discharges, could cause a significant cumulative effect on water quality or beneficial uses.

12. To the extent they are determined to fall within federal jurisdiction, it is likely that the SWRCB and RWQCBs will continue to regulate dredged or fill discharges primarily through their authority under section 401 of the CWA. Therefore, these General WDRs do not apply to discharges to federal waters that are subject to sections 401 and 404 of the CWA. These General WDRs likewise do not apply to discharges regulated under a section 402 storm water permit.

13. Discharges which could have a significant impact on rare, candidate, threatened, or endangered species require detailed project-specific analysis and individual regulation. Such discharges are therefore not authorized by these General WDRs.

14. Although a discharge may be eligible for coverage under these General WDRs, the RWQCB may elect to regulate the discharge under other WDRs or waivers thereof.

15. Discharges that would be exempt pursuant to section 404(f) of the CWA are waived from these WDRs. This waiver shall not affect a RWQCB's authority to issue individual WDRs or waivers for such discharges if it deems it appropriate.

Mitigation Plan

16. SWRCB Resolution No. 68-16, "Statement Of Policy With Respect To Maintaining High Quality Of Waters In California" ("Antidegradation Policy"), states that discharges to existing high quality waters will be required to meet WDRs which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur, and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.

17. Executive Order W-59-93, dated August 23, 1993, establishes a California Wetlands Conservation Policy including an objective to ensure no overall net loss of and a long term net gain in the quantity, quality, and permanence of wetland acreage and value in California ("No Net Loss Policy").

18. Filling wetlands, riparian areas, headwaters, and other waters causes partial or complete loss of the beneficial uses provided by those waters. To reconcile such losses with the "No Net

Loss" requirements of Executive Order W-59-93 and the "Antidegradation" requirements of SWRCB Resolution No. 68-16, these General WDRs require mitigation plans to ensure that impacts are mitigated through avoidance and minimization and that unavoidable loss of beneficial uses is offset with appropriate compensatory mitigation, including creation, restoration, or (in exceptional cases) preservation of other waters of the state. These mitigation requirements are consistent with those adopted by the U.S. Environmental Protection Agency and the ACOE for regulation of dredged or fill discharges to federal waters under CWA section 404.

19. To comply with the objective of the State "No Net Loss Policy" to ensure the quantity, quality, and permanence of wetland acreage and values in California, and with the "Antidegradation" requirements of SWRCB Resolution No. 68-16, these General WDRs require that compensatory mitigation areas for permanent impacts be subject to a deed restriction or other legal instrument that ensures preservation of the mitigation in perpetuity. These General WDRs do not generally require compensatory mitigation for temporary impacts, because the SWRCB does not anticipate that projects eligible under this order would ordinarily create temporary impacts of a size, severity, and/or duration that would have a significant adverse impact on beneficial uses. The decision in this order to generally require compensatory mitigation only for permanent impacts is not meant to be a precedent for any other SWRCB or RWQCB order.

20. Consistent and equitable application of these General WDRs is in the interest of environmental protection and the applicants. These General WDRs therefore provide guidance to SWRCB and RWQCB staffs regarding factors to evaluate in considering the eligibility of these General WDRs and in evaluating mitigation plans.

Basin Plans

21. All WDRs must implement the RWQCB Water Quality Control Plan (Basin Plan) for the region affected by the discharge. These General WDRs require dischargers to comply with all applicable Basin Plan provisions, including maintaining the protection of beneficial uses and complying with any prohibitions and water quality objectives governing the discharge.

Beneficial Uses

22. Beneficial uses are the most fundamental of the State's water quality standards. RWQCBs designate appropriate beneficial uses for waters in their regions' Basin Plans. The beneficial uses for the waters of the State include, but are not limited to, domestic supply, municipal supply, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation, and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves.

Fees

23. Water Code section 13260(d)(1) requires that each person for whom WDRs have been prescribed pursuant to section 13263 shall submit an annual fee according to a reasonable fee

schedule established by the SWRCB. The schedule of fees for discharges of dredged or fill material is published at California Code of Regulations (CCR) 23 section 2200(a)(2). For activities covered by these General WDRs, the SWRCB anticipates that most of the discharges will be one-time and of short duration. Therefore, only a one-time fee usually will be charged.

California Environmental Quality Act (CEQA)

24. CEQA requires a government agency to comply with certain procedures when it approves or proposes to carry out an activity. (Cal. Code Regs., tit. 14, § 15002(e))

25. Private actions are subject to CEQA if they involve governmental participation, financing, or approval. (Cal. Code Regs., tit. 14, § 15002(c))

26. A Mitigated Negative Declaration in compliance with CEQA has been adopted for these General WDRs.

27. Potential dischargers and all other known interested parties have been notified of the intent to adopt these General WDRs.

28. All comments pertaining to the proposed discharges have been heard and considered in a public meeting.

II. ORDER

A. ELIGIBILITY

IT IS HEREBY ORDERED that only discharges that meet the following criteria shall be enrolled under these General WDRs:

1. The discharge shall not be subject to section 404 of the CWA or section 10 of the federal Rivers and Harbors Act. These General WDRs likewise do not apply to discharges regulated under a section 402 storm water permit.

2. The discharge shall be dredged or fill materials.

3. The discharge shall meet the following size criteria:

    a. Excavation[4] and fill activities must not excavate or fill an area greater than two-tenths (0.2) of an acre of waters of the state, and

[4] "Excavation refers to moving sediment or soil in shallow waters or under no-flow conditions where impacts to beneficial uses are best described by the area of discharge. It typically is done for purposes other than navigation. Examples include trenching for utility lines, other earthwork preliminary to construction, removing sediment to increase channel capacity, and aggregate mining in fresh water." (Cal. Code Regs., tit. 23, § 2200(a)(2).)

b. Linear excavation and fill activities affecting drainage features and shorelines (e.g., bank stabilization, revetment, and channelization projects), must not excavate or fill more than 400 linear feet of waters of the state, measured parallel to the streambank or shoreline, and

c. Dredging[5] activities must dredge not more than 50 cubic yards within waters of the state.

d. These size criteria apply to discharges, which could either permanently or temporarily affect the quality of waters of the state[6].

e. These size criteria apply to complete projects and shall not be used to authorize "piecemealing" of larger discharges. In regulating recurring discharges, e.g., routine maintenance of sedimentation basins, forebays, or similar waters, these criteria shall be applied for each discharge episode.

4. For purposes of defining the size criteria specified in this section, determining fees as required by section II.B.3, and evaluating mitigation proposals as required by section II.B.4 of these General WDRs, the lateral extent of waters of the state shall be determined by the most expansive of the following:

   a. The federal criteria current on the date of adoption of these General WDRs[7],

   b. Headwaters, defined as intermittent and ephemeral drainages.

5. The discharge shall not directly or indirectly destabilize a channel or bed of a receiving water. In determining whether a discharge meets this criterion, the RWQCB Executive Officer[8] will consider potential project-induced changes to:

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[5] "Dredging" refers to removing sediment in deeper water to increase the depth. Impacts to beneficial uses are best described by the volume of the discharge. It typically occurs to facilitate navigation and for aggregate extraction in marine waters.

[6] Fill or dredged discharges can *permanently* affect the quality of waters of the state when the discharged material will be in place indefinitely and/or by its nature precludes a reasonable assurance that beneficial uses will be fully reestablished. Examples include filling of wetlands or other waters, streambank hardening, channelization, construction of bridge piers and abutments, and ongoing vegetation removal and channel maintenance. Fill or dredged discharges can *temporarily* affect the quality of waters of the state when the discharged material will be in place for a limited time and/or there is a reasonable assurance that beneficial uses will be fully reestablished once the discharge ceases. Examples include temporary fills, excavation for temporary access roads, and one-time vegetation removal or excavation of sediment. Mitigation measures or management practices may be needed to assure that impacts are "temporary" (e.g., reestablishment of natural grade, revegetation, reestablishment of soil permeability to allow vegetative growth, compaction of backfill to assure that utility trenches do not dewater wetlands).

[7] 33 CFR 328.3(b)-(e), 33 CFR 328.4, 40 CFR 230.41.

[8] For multi-region projects, the SWRCB Executive Director. The terms Executive Officer or Executive Director as used herein include any designees.

a. Quantity, velocity, timing, and direction of flow;
b. Sediment characteristics;
c. Stream grade; and
d. Other relevant project-induced changes.

6. The discharge shall not cause in combination with other discharges a significant cumulative effect on water quality or beneficial uses of the waters of the State including, but not limited to, wetlands and headwaters.

7. The discharge shall not adversely impact, either directly or through habitat modification, any plants or animals identified as candidate, sensitive, or special status species in local or regional plans, policies or regulations; or by the California Department of Fish and Game (DFG), the U.S. Fish and Wildlife Service (USFWS), or the National Marine Fisheries Service (NMFS). The project shall not , substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number of or restrict the range of an endangered, rare or threatened species.

8. The discharge shall not significantly conflict with any adopted and approved USFWS Habitat Conservation Plan (HCP) or DFG Natural Community Conservation Plan (NCCP).

9. The discharge shall not adversely impact a significant historical or archeological resource, shall not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, shall not disturb any human remains, and shall not eliminate important examples of the major periods of California history or prehistory.

10. The discharge shall not cause conflict with existing zoning for agricultural use or a Williamson Act contract.

11. The discharge, as mitigated, shall not cause significant adverse environmental impacts.

12. Discharges that would be exempt pursuant to section 404(f) of the CWA are waived from these WDRs. This waiver shall not affect a RWQCB's authority to issue individual WDRs or waivers for such discharges if it deems it appropriate.

B. APPLICATION REQUIREMENTS

IT IS FURTHER ORDERED that dischargers seeking enrollment under these General WDRs shall submit the following to the appropriate RWQCB Executive Officer or, in the case of multi-Region projects, to the SWRCB Water Quality Certification Program Manager at least 45 days prior to any discharge:

1. A Notice of Intent (NOI) to be enrolled under and to comply with these General WDRs.

2. Any CEQA documents that have been prepared for the project.

3. A fee pursuant to Title 23, section 2200 of the CCR.

4. A Mitigation Plan:

   The Mitigation Plan shall demonstrate that the discharger will sequentially avoid, minimize, and compensate for the adverse impacts to the affected water bodies' beneficial uses (as defined in the applicable Basin Plan). The Mitigation Plan shall address the following:

   a. Avoidance: No discharge shall be permitted if there is a practicable alternative[9] to the proposed discharge, which would have less adverse impact to the aquatic ecosystem, as long as the alternative does not have other significant adverse environmental consequences.

   b. Minimization: Unavoidable temporary impacts shall be mitigated by restoring water bodies and vegetation to pre-discharge conditions as quickly as practicable and by taking other practicable measures to reduce the severity and duration of such impacts.

   c. Compensatory mitigation: Discharges resulting in unavoidable permanent impacts to wetlands or headwaters shall ensure "no net loss" of area (acreage), functions, and beneficial use values by providing appropriate compensatory mitigation including creation, restoration, or (in exceptional cases) preservation. The RWQCB Executive Officer/SWRCB Executive Director will consider, at a minimum, the following when reviewing the adequacy of compensatory mitigation:

      (1) Onsite habitat value
      (2) Habitat connectivity value
      (3) Floodwater retention value
      (4) Pollutant removal value
      (5) Ratio of area of proposed compensation to proposed loss
      (6) Proposed revegetation and irrigation plans and success criteria
      (7) Availability of suitable soils, hydrology, and natural vegetation at the compensation site
      (8) Monitoring and reporting provisions
      (9) Contingency plan for failure to achieve success criteria
      (10) Any other information requested by the RWQCB or SWRCB.

   The Mitigation Plan shall demonstrate that all potentially adverse environmental impacts have been mitigated to a less than significant level. The thoroughness of the alternatives analysis and the extent of the proposed mitigation shall be commensurate with the purpose of the discharge, the value and sensitivity of the receiving water(s), and the extent, severity, and duration of the effect on the quality of waters.

[9] An alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. If it is otherwise a practicable alternative, an area not presently owned by the applicant which could reasonably be obtained, utilized, expanded, or managed in order to fulfil the basic purpose of the proposed activity may be considered (this definition is the same as presented in federal regulations at section 230.10(a)(2) of Title 33 of the CFR).

5. Any other additional information requested by the SWRCB or RWQCB to evaluate the proposed dredged or fill discharge.

A discharge shall not be enrolled under these General WDRs unless the RWQCB Executive Officer or SWRCB Executive Director finds that the Mitigation Plan meets the requirements of this section and the discharge meets all other eligibility criteria. The RWQCB Executive Officer or SWRCB Executive Director shall independently determine eligibility, including the adequacy of the Mitigation Plan, but may consider findings and requirements included in other agencies' permits.

C. DISCHARGE REQUIREMENTS

IT IS FURTHER ORDERED that the discharger shall comply with the following:

Prohibitions:

1. The discharge of material is prohibited until the discharger has received a Notice of Applicability (NOA) from the RWQCB Executive Officer or the SWRCB Executive Director or until 45 days after submission of a complete and accurate NOI.[10] If the RWQCB Executive Officer or the SWRCB Executive Director has not issued a Notice of Exclusion (NOE) within 45 days of receiving a complete and accurate NOI, the discharge may proceed.

2. No discharges are authorized under these General WDRs if the discharger has received a NOE from the RWQCB Executive Officer or the SWRCB Executive Director.

3. The discharge shall not cause pollution, contamination, or nuisance as defined in Water Code section 13050.

4. The discharge of material in a manner other than as described in the NOI, the Findings or conditions of these General WDRs, or in the RWQCB Executive Officer or SWRCB Executive Director-approved Mitigation Plan is prohibited.

5. The discharge of substances in concentrations toxic to human, plant, animal, or aquatic life or that produce detrimental physiological responses therein, is prohibited.

6. The discharge of waste classified as "hazardous" or "designated" as defined in Title 22, section 66261 of the CCR, or Water Code section 13173 is prohibited.

Special Provisions:

7. The discharger shall discharge in a manner that is consistent with the information provided in the NOI.

[10] The RWQCB Executive Officer or the SWRCB Executive Director, within 30 days from submittal of the NOI, may find a submittal to be incomplete or inaccurate.

8. The discharger shall comply with the eligibility criteria for these General WDRs.

9. The discharger shall implement the approved Mitigation Plan.

10. Requested amendments to the approved Mitigation Plan must be submitted in writing to the RWQCB Executive Officer and, for multi-region projects, to the SWRCB Water Quality Certification Program Manager. The discharger may not modify operations until the discharger has received written notification that the RWQCB Executive Officer or SWRCB Executive Director has approved the amendment. If the RWQCB Executive Officer or the SWRCB Executive Director does not disapprove the requested amendment within 45 days of receiving the written notification, the changes to the approved Mitigation Plan may be implemented as described in the requested amendment.

11. If mitigation measures do not meet their interim or ultimate success criteria, the discharger shall implement remedial measures that are acceptable to the RWQCB Executive Officer or SWRCB Executive Director.

12. All compensatory mitigation areas shall be subject to a conservation easement, deed restriction, or other legal instrument, which shall ensure preservation of the mitigation in perpetuity. Documentation of the easement, restriction, or other legal instrument shall be submitted to the RWQCB, or to the SWRCB for multi-region projects, before any discharge authorized by these General WDRs occurs.

13. The discharger, if requested by the RWQCB or SWRCB, shall provide certification that supervisory and other responsible operations personnel have received training regarding these General WDRs.

14. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to water bodies. At no time shall the discharger use vehicles or equipment that leak any substance that might impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of water bodies.

15. Except in compliance with the terms of an NOA for this order, no construction material, spoils, debris, or other substances associated with this project, that may adversely impact water quality, shall be located in a manner which may result in a discharge or threatened discharge to water bodies.

16. Upon completion of the project, the discharger shall complete a Notice of Termination (NOT) requesting to be un-enrolled from these General WDRs.

Standard Provisions:

17. A copy of these General WDRs shall be kept at the project site for reference by project personnel. Personnel shall be familiar with its contents.

18. The discharger shall take all reasonable steps to prevent any discharge in violation of these General WDRs.

19. The discharger shall report promptly to the RWQCB or SWRCB any proposed material change in the character, location, area, and/or volume of the discharge. The discharger shall obtain confirmation from the RWQCB or SWRCB that such proposed modifications do not disqualify the discharger from coverage under these General WDRs. Confirmation or new WDRs shall be obtained before any modifications are implemented. If the RWQCB Executive Officer or the SWRCB Executive Director does not disapprove the proposed change within 45 days of receiving a written report describing the proposed change, the discharge may proceed in accordance with the proposed modifications.

20. These General WDRs do not convey any property rights or exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from liability under federal, State, or local laws, and do not create a vested right to continue to discharge waste.

21. These General WDRs do not relieve the discharger from the responsibility to obtain other necessary local, State, and federal permits, nor do these General WDRs prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.

22. The discharger shall allow the RWQCB or SWRCB, or an authorized representative, upon the presentation of credentials and other documents, as may be required by law, to do the following:

    a. Enter upon the premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of these General WDRs,

    b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of these General WDRs,

    c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under these General WDRs, and

    d. Sample, photograph, and monitor at reasonable times, for the purpose of assuring compliance with these General WDRs.

23. After notice and opportunity for a hearing, coverage of an individual discharge under these General WDRs may be terminated or modified for cause, including, but not limited to, the following:

    a. Violation of any term or condition of these General WDRs.

    b. Obtaining these General WDRs by misrepresentation or failure to disclose all relevant facts.

c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

24. The filing of a request by the discharger for an order modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of these General WDRs.

25. Where the discharger becomes aware that it failed to submit any relevant facts in an NOI or submitted incorrect information in an NOI to the RWQCB or SWRCB, it shall promptly submit such facts or information.

26. The discharger shall furnish, within a reasonable time, any information the RWQCB or SWRCB may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the discharger coverage under these General WDRs. The discharger shall also furnish to the RWQCB or SWRCB, upon request, copies of records required to be kept by these General WDRs.

27. The Water Code provides that any person failing or refusing to furnish technical or monitoring program reports, as required under these General WDRs, or falsifying any information provided in the monitoring reports, is subject to civil liability for each day in which the violation occurs.

28. The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with these General WDRs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.

29. All reports, notices, or other documents required by these General WDRs or requested by the RWQCB or SWRCB shall be signed by a person described below or by a duly authorized representative of that person.

    a. For a corporation: by a responsible corporate officer such as (1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (2) any other person who performs similar policy or decision-making functions for the corporation; or (3) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

    b. For a partnership or sole proprietorship: by a general partner or the proprietor.

    c. For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official.

30. Any person signing a document under Provision II.C.29 shall make the following certification, whether written or implied:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

31. The discharger shall report any discharge of waste that may endanger public health or the environment. Any information shall be provided orally to the RWQCB within 24 hours from the time the discharger becomes aware of the occurrence. A written report shall also be submitted to the RWQCB Executive Officer within five (5) consecutive days of the time the discharger becomes aware of the occurrence. The written report shall contain (a) a description of the noncompliance and its cause; (b) the period of the noncompliance event, including dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and (c) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

32. The discharger shall report all instances of noncompliance not reported under Provision II.C.31 within seven (7) consecutive days of the time the discharger becomes aware of the occurrence. The report shall contain any applicable information listed in Provision II.C.31.

33. The discharger shall comply with all of the conditions of these General WDRs. Any noncompliance with these General WDRs constitutes a violation of the Water Code and is grounds for an enforcement action.

34. The discharger must comply with all applicable Basin Plan provisions, including maintaining the protection of beneficial uses and complying with any prohibitions and water quality objectives governing the discharge. In the event of a conflict between the provisions of these General WDRs and the applicable Basin Plan, the more stringent provisions prevails.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the SWRCB held on May 4, 2004.

AYE:

NO:

ABSENT:

ABSTAIN:

Debbie Irvin
Clerk to the Board

Attachment B

ATTACHMENT 1
TO WQ ORDER NO. 2004-004-DWQ

STATE WATER RESOURCES CONTROL BOARD

NOTICE OF INTENT (NOI)

TO ENROLL UNDER AND COMPLY WITH THE TERMS OF WATER QUALITY ORDER NO. 2004-004 DWQ (GENERAL WDRs), 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

Mark Only One Item	1. ☐ New Discharge 2. ☐ Change of Information-WDID # _____

I. **Owner of the Land**

Name				
Mailing Address				
City	County	State	Zip	Phone
Contact Person				

II. **Billing Address**

Name				
Mailing Address				
City	County	State	Zip	Phone
Contact Person				

III. **Discharger (if different from owner of the land)**

Name				
Mailing Address				
City	County	State	Zip	Phone
Contact Person				

STATE USE ONLY

WDID: ☐☐☐☐☐☐☐☐☐☐	Regional Board Office: ☐☐	Date NOI Received:	
		Check #: _____	

IV. **Site Location**

Street (including address, if any)	
Nearest Cross Street(s)	
County:	Total Size of Site (acres):

Latitude/Longitude (Center of Discharge Area) in degrees/minutes/seconds (DMS) to the nearest ½ second or decimal degrees (DD) to four decimals (0.0001 degree)

DMS: N. Latitude Deg. _____ Min. _____ Sec. _____

W. Longitude Deg. _____ Min. _____ Sec. _____

DD: N. Latitude _____

W. Longitude _____

Attach a map of at least 1:24000 (1" = 2000') detail of the proposed discharge site (e.g., USGS 7.5 minute topographic map).

V. **Discharge Information**

Subject		Notes
Name(s) and type(s) of receiving waters:		Receiving water types are: river/streambed, lake/reservoir, ocean/estuary/bay, riparian area, wetland
Eligibility of receiving water. Provide evidence that the water affected by this discharge is deemed to be out side of federal jurisdiction:		U.S. Army Corps of Engineers jurisdictional disclaimer letter, or explanation why such a disclaimer is not needed
Identify all regulatory agencies having jurisdiction over this project. Attach copies of all federal and State license/permit applications or issued copies of licenses/permits from government agencies:		For example: Dept. of Fish and Game Streambed Alteration Agreement, Coastal Commission permit
Proposed project start date:	Expected date of completion:	

Project description:	For example: Discharge of riprap; discharge of fill; excavation for a utility line
Purpose of the entire activity:	For example: Stream-bank erosion control; flood management; residential development
Characterization of discharges:	What types of constituents will be discharged? Is the sediment contaminated?

Fill and Excavation Discharges: For each water body type listed below indicate in ACRES the area of the proposed discharge to waters of the state, and identify the impacts(s) as permanent and/or temporary. For linear discharges to drainage features and shorelines, e.g., bank stabilization, revetment, and channelization projects, ALSO specify the length of the proposed discharge to waters of the state IN FEET.[1]

Water Body Type	Permanent Impact		Temporary Impact	
	Acres	Linear Feet	Acres	Linear Feet
Wetland				
Streambed				
Lake/Reservoir				
Ocean/Estuary/Bay				
Riparian				

Dredging Discharges: Volume (cubic yards) of dredged material to be discharged into waters of the United States.

[1] For guidance in determining the extent of impacted waters, see General WDRs, section II.A.4

VI. **California Environmental Quality Act**

Will an environmental impact report or a negative declaration be adopted for this project or has one been adopted?

❑ YES ❑ NO

If yes, what is the current status of the environmental impact report or negative declaration?

❑ Not yet issued for public review.
❑ In public review.
❑ Adopted.

Name of lead agency _____

If an environmental impact report or a negative declaration is in public review or has been adopted, enclose the document with this NOI.

Will the discharge occur in, or in immediate proximity to, an area covered by a U.S. Fish and Wildlife Service (USFWS) Habitat Conservation Plan (HCP) or a Department of Fish and Game Natural Community Conservation Plan (NCCP)?

❑YES ❑NO

Will the discharge occur in, or in immediate proximity to, any habitat of a plant or animal species that has been classified by the Department of Fish and Game, the U.S. Fish and Wildlife Service, or the National Marine Fisheries Service as candidate, sensitive, endangered, rare, or threatened?

❑YES ❑NO

Will the discharge occur in, or in immediate proximity to, a significant historical or archeological resource, a unique paleontological resource or site, a unique geologic feature, or any human remains?

❑YES ❑NO

Will the discharge occur in, or in immediate proximity to, land under existing zoning for agricultural use or under a Williamson Act contract?

❑YES ❑NO

Will the discharge, as mitigated, cause any other significant adverse environmental impact?

❑YES ❑NO

If you answered "yes" to any of the previous five questions, provide a detailed explanation demonstrating why the discharge is eligible to be enrolled under the General WDRs.

VII. **Additional Submittals.** In accordance with provisions of State Water Resources Control Board (SWRCB) Water Quality Order No. 2004-0004 DWQ, please submit the following with this NOI to the appropriate Regional Water Quality Control Board or, for multi-Region projects, to the SWRCB.

a. A fee pursuant to California Code of Regulations, Title 23 Section 2200.

b. A Mitigation Plan, as described in the General WDRs.

VIII. CERTIFICATION

"I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. In addition, I certify that the provisions of these General WDRs will be complied with."	
Signature of Discharger	Title
Printed or Typed Name	Date

Attachment B

ATTACHMENT 2
TO WQ ORDER NO. 2004-0004-DWQ

STATE WATER RESOURCES CONTROL BOARD

NOTICE OF TERMINATION

OF DREDGED OR FILL DISCHARGES
TO WATERS DEEMED BY THE U.S. ARMY CORPS OF ENGINEERS
TO BE OUTSIDE OF FEDERAL JURISDICTION
(WATER QUALITY ORDER NO. 2004-0004 DWQ)

WDID # _____

III. **Owner of the Land**

Name				
Mailing Address				
City	County	State	Zip	Phone
Contact Person				

III. **Discharger (if different from owner of the land)**

Name				
Mailing Address				
City	County	State	Zip	Phone
Contact Person				

III. **Site Location**

Street (including address, if any)
Nearest Cross Street(s)
County:

IV. **Reason For Notice of Termination**

Indicate why the discharge should no longer be regulated under WQ Order No. 2004-0004-DWQ.

STATE USE ONLY

WDID: □□□□□□□□□□□	Regional Board Office: □□	Date NOT Received: _____ —	Date NOT Processed: _____ —

V. CERTIFICATION

"I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."	
Signature of Discharger	Title
Printed or Typed Name	Date

Print Form

Water Boards

Attachment C

Project Identifiers	
WDID No:	SB10001IN
Reg. Meas. ID:	
Place ID:	
Party ID:	
USACOE No:	
Other File No:	

PROJECT INFORMATION

Details

Application Received Date:	Jan 29, 2010
Application Completed Date:	Apr 1, 2010
Additional Info Completed Date:	Oct 19, 2010
Applicant:	Southern California Edison Co.
Applicant Representative(s):	ICF
Project Title:	Tehachapi Renewable Transmission Project (TRTP): Segment 9 - Whirlwind
Regulating Water Board:	SB - State Water Board
Type of Project:	Utilities --> Alternative Energy

Project Description:

The proposed project is Segment 9 of the TRTP, which involves construction of the Whirlwind Substation. The proposed new Whirlwind Substation would include a 500-kV switchyard and a 220-kV switchyard to accommodate connection to two different types of transmission lines in the area. The 500-kV switchyard would be designed to be the terminal point for 500-kV transmission lines from/to the Midway, Vincent, and Windhub Substations. The 220-kV switchyard would be designed to accommodate the termination of the proposed new set of transmission lines between Cottonwind and Whirlwind Substations as well as the installation of two 220-kV 79.2 Megavolt-Amps Reactive capacitor banks.

Location

City:	unincorporated Antelope Valley area
County:	Kern County
Cross Streets:	Near intersection of 170th Street and West Rosamond Boulevard in Kern Co.
Section, Township, Range:	Section 23, 9 North, 15 West
Zip code:	93536
Directions:	From Los Angeles, take the 5 N to the 14 N, exit Rosamond Blvd. Go approximately 15 miles east to 170th Street, and turn left.
Latitude(s) and Longitude(s):	34°85'74.09" N, 118°43'66.82"W

Public Notice

Water Board Public Notice: Information regarding this project was noticed on the State Water Board's website from Apr 20, 2010 to May 18, 2010.

X No Comments were received. _____ Comments were responded to in writing.

Fees

Application Fee Provided: A certification fee of 77 was submitted on Jan 29, 2010 as required by 23 CCR §3833b(2)(A) and by 23 CCR § 2200(e). An additional fee of 0 (IF APPLICABLE) to offset additional design impacts was received on NA as required by 23 CCR §3833b(2)(A) and by 23 CCR § 2200(e).

Water Boards

Hydrologic Information	
Receiving Water(s):	Unnamed desert wash, tributary to Rosamond (dry) Lake.
Hydrologic Unit(s):	Antelope-Fremont Valleys hydrologic unit (HUC 18090206)
Water Body Type(s):	Unnamed desert wash, identified as Feature 4-5-S-1

Designated Beneficial Use(s)						
☐ AGR	☐ COMM	☐ FRSH	☐ MIGR	☐ RARE	☐ SPWN	☐ None
☐ AQUA	☐ CUL	☒ GWR	☐ MUN	☐ REC-1	☐ WARM	☐
☐ ASBS	☐ EST	☐ IND	☐ NAV	☐ REC-2	☐ WET	☐
☐ BIOL	☐ FISH	☐ LWRM	☐ POW	☐ SAL	☒ WILD	☐
☐ COLD	☐ FLD	☐ MAR	☐ PRO	☐ SHELL	☐ WQE	☐

Candidate, Sensitive, or Special Status Species

Protocol-level surveys were conducted for the federally-listed desert tortoise and the state-listed Swainson's hawk and Mohave ground squirrel. Protocol-level surveys were also conducted for burrowing owl, a California Species of Special Concern. Surveys were negative for all species, except burrowing owl where an active burrow was identified within the disturbance area. The proposed Whirlwind substation does occur within the known foraging and nesting habitat of Swainson's hawk and a low density population of desert tortoise is also known from the area. Appropriate mitigation as listed in the FEIR/FEIS will be required to compensate for the loss of habitat for these listed species.

Other Permits/Licenses/Agreements/Plans

Federal (Type and Permit/License Number):

Federal Communications Commission, Licenses for new microwave paths

State (Type and Permit/License/Agreement Number):

1602 Streambed Alteration Agreement, Portable Engine Registration, Air Quality Permits for portable engines, General Permit for Storm Water Discharges Associated with Construction Activities,Encroachment permits, Construction permit.

Other County, City, etc. (Type and Permit/License Number):

Certificate of Public Convenience & Necessity

Any Required Documents or Plan Submittals (SWPPP, Mitigation & Monitoring, etc.)

A project-specific construction SWPPP would be prepared and implemented prior to the start of construction of the substation.

NEPA and/or CEQA Compliance	
Document type:	Environmental Impact Report/Environmental Impact Statement
Lead Agency:	California Public Utilities Commission (CEQA), USDA Forest S
Date completed:	October 2009
State Clearinghouse Number:	2007081156

Water Boards

IMPACTS

Describe Potential Water Quality Impacts:

The desert wash would be filled with native soil from onsite at a volume of approximately 43 cubic yards (390 linear feet, 3 feet bankfull width, 1 foot depth). The proposed project site is in the middle of a stream flow alluvial fan with very dynamic flow and sediment transport characteristics. The project could disrupt alluvial fan processes and impact beneficial uses.

Final Project Impacts (Fill)*

Waterbody Type	Permanent			Temporary		
	Acres**	Linear Feet	Cubic Yards	Acres**	Linear Feet	Cubic Yards
Lake						
Ocean						
Riparian						
Streambed	0.03	390	43			
Vernal Pool						
Wetland						

* Include all three measurements (acres, linear feet and cubic yards) for all federal and non-federal waterbody types.
** Provide acres to three decimal places (e.g., 0.006).

Final Project Impacts (Dredge*/Excavation)**

Waterbody Type	Permanent			Temporary		
	Acres***	Linear Feet	Cubic Yards	Acres***	Linear Feet	Cubic Yards
Lake						
Ocean						
Riparian						
Streambed						
Vernal Pool						
Wetland						

* For projects that will occur annually please provide the total volume to be dredged for the entire certification period (typically 5 years).
** Include all three measurements (acres, linear feet and cubic yards) for all federal and non-federal waterbody types.
*** Provide acres to three decimal places (e.g., 0.006).

Impact Comparison*

	Fill				Dredge			
	Permanent		Temporary		Permanent		Temporary	
	Initial	Final	Initial	Final	Initial	Final	Initial	Final
*Impacts (Acres)***	0	0.03	0	0	0	0	0	0

* Include impacts to both federal and non-federal waters.
** Provide acres to three decimal places (e.g., 0.006).

MITIGATION

Describe Avoidance and Minimization for Impacts to Waters:

A trapezoidal riprap channel will be placed around the boundary of the project site that will minimize impacts to the hydrology of the area adjacent to and downstream of the site. This minimization measure was demonstrated through a Hydrology/ Hydraulic and Sediment Yield Report that was submitted to Water Board staff by the applicant.

Describe Compensatory Mitigation for Impacts to Waters (temporary and permanent):

Permanent impacts to desert washes will be mitigated at a 3:1 ratio. Mitigation will be performed through the Desert Tortoise Preserve Committee (DTPC) mitigation bank. The Implementation Agreement terms provided by the DTPC, indicate that habitat acquisition will take place within the federally-designated Desert Tortoise Research and Natural Area (DTRNA) or within the DTRNA's Expansion Area.

Compensatory Mitigation (Proponent Provided)

Waterbody Type	Acres Established		Acres Restored		Acres Enhanced		Acres Preserved	
	Temp.*	Perm.	Temp.*	Perm.	Temp.*	Perm.	Temp.*	Perm.
Lake								
Ocean								
Riparian								
Streambed								
Vernal Pool								
Wetland								

* Report as mitigation for temporary impacts at a 1:1 ratio any required conditions to restore the site (e.g., re-vegetating or re-contouring).

Compensatory Mitigation (Mitigation Bank)

Waterbody Type	Acres Established	Acres Restored	Acres Enhanced	Acres Preserved
Lake				
Ocean				
Riparian				
Streambed		0.09		
Vernal Pool				
Wetland				

Compensatory Mitigation (In-Lieu)

Waterbody Type	Acres Established	Acres Restored	Acres Enhanced	Acres Preserved
Lake				
Ocean				
Riparian				
Streambed				
Vernal Pool				
Wetland				

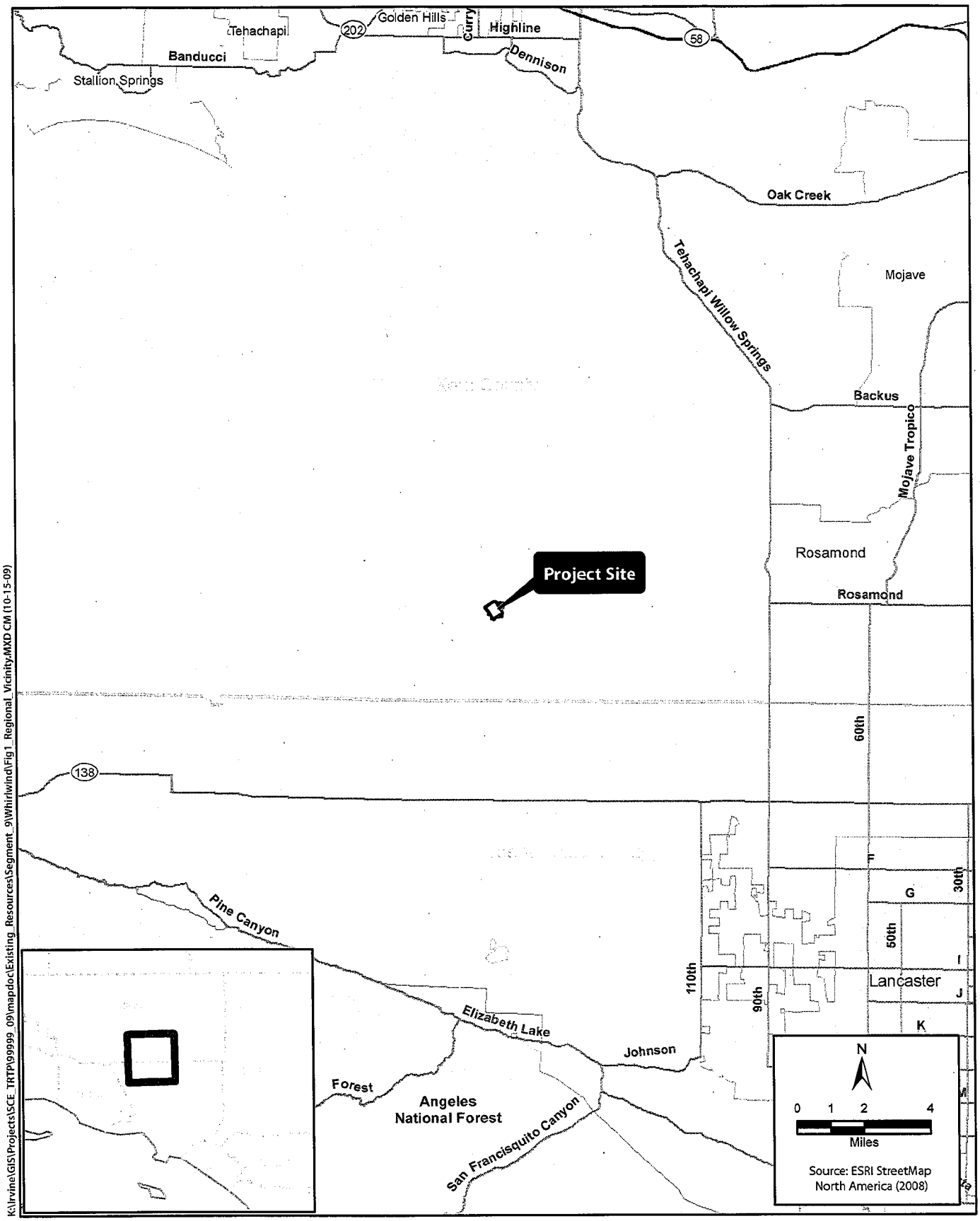
Proponent Provided Mitigation Information (If Applicable)*		
	Site 1	**Site 2**
Mitigation Site Location(s):		
Mitigation Site Lat/Long(s)		
Name of Watershed & Hydrologic Unit:		
Mitigation Site City and County:		
*If more than two sites, please provide additional information in the additional information table located at the end of this form.		

Mitigation Bank Information (If Applicable)*		
	Bank 1	**Bank 2**
Mitigation Bank Name:	Desert Tortoise Preserve	
Name of Mitigation Bank Operator:	Desert Tortoise Preserve Committ	
Address of Mitigation Bank Office:	(951) 683-3872 (DTPC)	
Mitigation Bank Location(s):	Kern County	
Mitigation Bank Lat/Long(s)	N/A	
Name of Watershed & Hydrologic Unit:	Antelope-Fremont Valleys hydrolo	
Mitigation Bank City and County:	Kern County	
Mitigation purchase amount ($):	0.09 acre desert wash	
*If more than two sites, please provide additional information in the additional information table located at the end of this form.		

In-Lieu Mitigation Information (If Applicable)*		
	Program 1	**Program 2**
Name of approved in-lieu fee mitigation sponsor:		
Address of In-lieu mitigation sponsor:		
Description of in-lieu mitigation arrangements:		
In-lieu mitigation location:		
In-lieu mitigation Lat/Long(s):		
In-lieu mitigation City and County:		
Name of Watershed & Hydrologic Unit		
*If more than two sites, please provide additional information in the additional information table located at the end of this form.		

Additional Mitigation Information (Proponent, Bank, or In-Lieu)		
	Site 1	**Site 2**
Mitigation Site Name:	Desert Tortoise Preserve	
Name of Mitigation Site Operator:	Desert Tortoise Preserve Committ	
Address of Mitigation Site Office:	4067 Mission Inn Avenue, Riversid	
Mitigation Site Location(s):	West of Rand Mountains, Kern Co.	
Mitigation Site Lat/Long(s)	TBD	
Name of Watershed & Hydrologic Unit:	TBD	
Mitigation Site City and County:	Unincorporated Kern County, CA	
Mitigation purchase amount ($):	TBD	

Attachment D



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ICF Jones & Stokes
an ICF International Company

Figure 1 - Regional Vicinity Map
Segment 9 (Whirlwind Substation)
Tehachapi Renewable Transmission Project

ICF Jones & Stokes

Figure 4 - Jurisdictional Waters and Impacts
Segment 9 (Whirlwind Substation)
Tehachapi Renewable Transmission Project

Attachment E

Table 1. APMs and Mitigation Measures for the Proposed Project

	Biological Resources APMs
APM BIO-1	Pre-construction biological clearance surveys would be performed to minimize impacts on special-status plants or wildlife species.
APM BIO-2	Every effort would be made to minimize vegetation removal and permanent loss at construction sites. If necessary, native vegetation would be flagged for protection. A project revegetation plan would be prepared for areas of native habitat temporarily affected during construction.
APM BIO-3	Construction crews would avoid affecting the streambeds and banks of any streams along the route to the extent feasible. If necessary, a Streambed Alteration Agreement (SAA) would be secured from CDFG. Impacts would be mitigated based on the terms of the SAA. No streams with flowing waters and/or those capable of supporting special-status species would be expected to be adversely affected from project implementation.
APM BIO-4	Construction and operations crews would be directed to use BMPs where applicable. These measures would be identified prior to construction and incorporated into the construction and maintenance operations.
APM BIO-5	Biological monitors would be assigned to the project. The monitors would be responsible for ensuring that impacts on special-status species, native vegetation, wildlife habitat, or unique resources would be avoided to the fullest extent possible. Where appropriate, monitors would flag the boundaries of areas where activities need to be restricted to protect native plants and wildlife or special-status species. These restricted areas would be monitored to ensure their protection during construction.
APM BIO-6	A Worker Environmental Awareness Program (WEAP) would be prepared, and all construction crews and contractors would be required to participate in WEAP training prior to starting work on the project. The WEAP training would include a review of the special-status species and other sensitive resources that could exist in the project area, the locations of sensitive biological resources as well as their legal status and protections, and measures to be implemented for avoidance of these sensitive resources. A record of all personnel trained would be maintained.
APM BIO-7	Where significant and unavoidable impacts on any special-status resources cannot be avoided, SCE would provide compensatory mitigation as determined by the regulatory agency.
APM BIO-8	SCE would conduct project-wide raptor surveys and remove trees, if necessary, outside of the nesting season (1 February–31 August). If a tree or pole containing a raptor nest must be removed during the nesting season, or if work is scheduled to take place in proximity to an active nest on an existing transmission tower or pole, SCE would coordinate with CDFG and USFWS and obtain written concurrence prior to moving the nest.
APM BIO-9	All transmission and subtransmission towers and poles would be designed to be raptor-safe in accordance with Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 2006 (Avian Power Line Interaction Committee [APLIC] 2006).

	Biological Resources Mitigation Measures
B-1a	**Provide restoration/compensation for impacts to native vegetation communities.** The intent of this mitigation measure is to require SCE to restore disturbed sites to pre-construction conditions or the desired future conditions per the Angeles National Forest Land Management Plan. Prior to construction SCE shall have a qualified biologist, where concurrence on the biologist has been provided by the CPUC and Forest Service, document the community type and acreage of vegetation that would be subject to project disturbance. Impacts to all oaks and native trees (with >3 inch diameter at breast height [DBH]) will be documented by identifying the species, number, location, and DBH. On non-Federal lands all protection and replacement measures shall be consistent with applicable local jurisdiction requirements, such as the Los Angeles County Oak Tree Ordinance. Tree removal shall not be permitted until replacement trees have been planted or transplanting sites are approved. For NFS lands, the Forest Service shall prepare a Habitat Restoration and Revegetation Plan in discussion with SCE for the Project, which shall include plans for restoration, enhancement/re-vegetation and/or mitigation banking. For non-Federal lands SCE shall prepare the Habitat Restoration and Revegetation Plan. Both plans shall include at minimum: (a) the location of the mitigation site (off site mitigation may be required); (b) locations and details for top soil storage (c) the plant species to be used; (d) seed and cutting collecting guidelines; (d) a schematic depicting the mitigation area; (e) time of year that the planting will occur and the methodology of the planting; (f) a description of the irrigation methodology for container, bareroot or other planting needing irrigation; (g) measures to control exotic vegetation on site; (h) success criteria; (i) a detailed monitoring program; j) locations and impacts to all oaks and native trees (over 3 inches DBH), k) locations of temporary or permanent gates, barricades, or other means to control unauthorized vehicle access on access and spur roads as deemed necessary by the Forest Service (for NFS lands only). [More detail on these plans is provided in the Final EIR/EIS.]
B-1b	**Implement a Worker Environmental Awareness Program.** A Worker Environmental Awareness Program (WEAP) shall be implemented for construction crews by a qualified biologist(s) provided by SCE, where concurrence has been provided by the CPUC/Forest Service prior to the commencement of construction activities. Training materials and briefings shall include but not be limited to: discussion of the Federal and State Endangered Species Acts, Bald and Golden Eagle Protection Act, and the Migratory Bird Treaty Act; the consequences of non-compliance with these acts; identification and values of plant and wildlife species and significant natural plant community habitats; fire protection measures; sensitivities of working on NFS lands and identification of Forest Service sensitive species; hazardous substance spill prevention and containment measures; a contact person in the event of the discovery of dead or injured wildlife; and review of mitigation requirements. The WEAP shall also include the protocol to be followed when road kill is encountered in the work area or along access roads to minimize potential for additional mortality of scavengers, including listed species such as the California condor. On NFS lands, road kill shall be reported to the Forest Service or other applicable agency within 24 hours. On non-NFS lands, road kill shall be reported to the appropriate local animal control agency within 24 hours. Training materials and a course outline shall be provided to the CPUC and Forest Service for review and approval at least 30 days prior to the start of construction. Maps showing the location of special-status wildlife, fish, or populations of rare plants, exclusion areas, or other construction limitations (i.e., limited operating periods) will be provided to the environmental monitors and construction crews prior to ground disturbance. SCE shall provide to the

CPUC and Forest Service a list of construction personnel who have completed training prior to the start of construction, and this list shall be updated by SCE as required when new personnel start work. No construction worker may work in the field for more than 5 days without participating in the WEAP.

B-5

Conduct pre-construction surveys and monitoring for breeding birds. SCE shall conduct pre-construction surveys for nesting birds if construction and removal activities are scheduled to occur during the breeding season. Surveys shall be conducted in areas within 500 feet of tower sites, laydown/staging areas, substation sites, and access/spur road locations. Surveys for birds shall be conducted for all areas from February 1 to August 15. The required survey dates may be modified based on local conditions (i.e., high altitude locations) with the approval of the CPUC, California Department of Fish and Game (CDFG), USACE, and/or Forest Service. SCE shall be responsible for designating qualified biologists who can conduct pre-construction surveys and monitoring for breeding birds. The resume of the proposed biologists will be provided to the CPUC, USACE, and Forest Service for concurrence prior to ground disturbance. On NFS lands, the Forest Service shall apply the Service's Land Management Plan Standard S18 (Part 3 of the Land Management Plan), which states "Protect known active and inactive raptor nest areas. Extent of protection will be based on proposed management activities, human activities existing at the onset of nesting initiation, species, topography, vegetative cover, and other factors. When appropriate, a no-disturbance buffer around active nest sites will be required from nest-site selection to fledging."

On both NFS and non-NFS lands, if breeding birds with active nests are found, a biological monitor shall establish a 300-foot buffer around the nest for ground-based construction activities and a one-mile buffer for helicopter use if helicopters are flying below 300 feet, and no activities will be allowed within the buffer(s) until the young have fledged from the nest or the nest fails. If nesting bald or golden eagles are identified, a 660-foot no activity buffer will be implemented. The 300-foot (660-foot eagle and one-mile helicopter) buffer may be adjusted to reflect existing conditions including ambient noise, topography, and disturbance with the approval of the U.S. Fish and Wildlife Service (FWS), CPUC, USACE, CDFG, or Forest Service, as appropriate. On NFS lands, the Forest Service shall have the authority to define/redefine such buffers. The biological monitors shall conduct regular monitoring of the nest to determine success/failure and to ensure that Project activities are not conducted within the buffer(s) until the nesting cycle is complete or the nest fails. The biological monitors shall be responsible for documenting the results of the surveys and the ongoing monitoring and will provide a copy of the monitoring reports for impact areas to the respective agencies (e.g., On NFS lands documentation will be provided to the Forest Biologist). If for any reason a bird nest must be removed during the nesting season, SCE shall provide written documentation providing concurrence from the FWS and CDFG authorizing the nest relocation. On NFS lands, this will include coordination and written approval from the Forest Service. On USACE lands, this will include coordination and written approval by the USACE. SCE shall provide a written report documenting the relocation efforts. The report shall include what actions were taken to avoid moving the nest, the location of the nest, what species is being relocated, the number and condition of the eggs taken from the nest, the location of where the eggs are incubated, the survival rate, the location of the nests where the chicks are relocated, and whether the birds were accepted by the adopted parent.

B-8a
Surveys complete. No avoid-ance measures

Conduct protocol surveys for California red-legged frogs and implement avoidance measures. SCE shall conduct Fish and Wildlife Service (FWS)-approved protocol surveys for California red-legged frogs if suitable habitat is present near the proposed construction sites at the Amargosa Creek, Aliso Canyon (Segment 11), Monte Cristo Creek,

required, see below.

Alder Creek, Big Tujunga Creek (Segment 6), and West Fork San Gabriel River within the Central Region. If surveys have been conducted to protocol within two years of start of construction and no red-legged frogs were identified, surveys would not need to be repeated prior to start of construction. Surveys will continue at least every two years until construction is complete in the identified potential habitat. The resumes of the proposed biologists will be provided to the CPUC and Forest Service for concurrence prior to conducting the surveys.

- Prior to the onset of construction activities, SCE shall provide the following information to all personnel who will be present within work areas or adjacent to the project area:
  - A detailed description of the red-legged frog including color photographs;
  - The protection the red-legged frog receives under the Endangered Species Act and possible legal action that may be incurred for violation of the Act;
  - The protective measures being implemented to conserve red-legged frogs and other species during construction activities associated with the Project; and
  - A point of contact if red-legged frogs are observed.
- All trash that may attract predators of the red-legged frogs will be removed from work sites or completely secured at the end of each work day. At the Project crossing near the newly discovered population in Aliso Canyon, and anywhere California red-legged frogs are detected in or adjacent to the Project, the following shall apply:
  - A full-time monitor shall be present at the access road crossing near the newly discovered population of California red-legged frog in Aliso Canyon, while water is present.
  - Between 1 November and 31 March, no work will be authorized within one mile of occupied habitat and no vehicular crossings at wet fords of those channels will be authorized. The one-mile buffer distance may be reduced based on the topography of the site with the approval of the FWS, Forest Service, and CPUC.
  - Between April 1 to 31 October, no work will be authorized within 500 feet of occupied habitat and no vehicular crossings at wet fords of those channels will be authorized.
  - If present, SCE shall monitor all related construction activities and develop and implement a monitoring plan that includes the following measures in consultation with the FWS and Forest Service.
  - Prior to the onset of any construction activities, SCE shall meet on-site with the CPUC/Forest Service-approved biologist (authorized biologist). The authorized biologist shall hold a current red-legged frog permit from FWS. SCE shall provide information on the general location of construction activities within habitat of the red-legged frog and the actions taken to reduce impacts to this species. Because red-legged frogs may occur in various locations during different seasons of the year, SCE, and authorized biologists will, at this preliminary meeting, determine the seasons when specific construction activities would have the least adverse effect on red-legged frogs.
  - Where construction can occur in habitat where red-legged frogs are widely distributed, work areas will be fenced in a manner that prevents equipment and vehicles from straying from the designated work area into adjacent habitat. The

authorized biologist will assist in determining the boundaries of the area to be fenced in consultation with the FWS/CDFG/Forest Service/CPUC. All workers will be advised that equipment and vehicles must remain within the fenced work areas.

- The authorized biologist will direct the installation of the fence and conduct a minimum of three nocturnal surveys to move any red-legged frogs from within the fenced area to suitable habitat outside of the fence. If red-legged frogs are observed on the final survey or during subsequent checks, the authorized biologist will conduct additional nocturnal surveys if he or she determines that they are necessary in concurrence with the FWS/CDFG/Forest Service/CPUC.
- Fencing to exclude red-legged frogs will be at least 24 inches in height.
- Construction activities that may occur immediately adjacent to breeding pools or other areas where large numbers of red-legged frogs may congregate will be conducted during times of the year (winter) when individuals have dispersed from these areas or the species is dormant, unless otherwise authorized by CPUC, Forest Service, and FWS. The authorized biologist will assist SCE in scheduling its work activities accordingly.
- If red-legged frogs are found within an area that has been fenced to exclude red-legged frogs, activities will cease until the authorized biologist moves the red-legged frogs.
- If red-legged frogs are found in a construction area where fencing was deemed unnecessary, work will cease until the authorized biologist moves the redlegged frogs. The authorized biologist in consultation with FWS/CDFG/Forest Service/CPUC will then determine whether additional surveys or fencing are needed. Work may resume while this determination is being made, if deemed appropriate by the authorized biologist.
- Any red-legged frogs found during clearance surveys or otherwise removed from work areas will be placed in nearby suitable, undisturbed habitat. The authorized biologist will determine the best location for their release, based on the condition of the vegetation, soil, and other habitat features and the proximity to human activities. Clearance surveys shall occur on a daily basis in the work area.
- The authorized biologist will have the authority to stop all activities until appropriate corrective measures have been completed. SCE shall restrict work to daylight hours, except during an emergency, in order to avoid nighttime activities when red-legged frogs may be present on the access road. Traffic speed should be maintained at 15 mph or less in the work area.
- A qualified biologist must permanently remove, from within the Project area, any individuals of exotic species, such as bullfrogs, crayfish, and centrarchid fishes, to the maximum extent possible and ensure that activities are in compliance with the California Fish and Game Code.
- No stockpiles of materials will occur in areas occupied by California red-legged frogs.
- To ensure that diseases are not conveyed between work sites by the authorized biologist or his or her assistants, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force will be followed at all times.

- Any spills of any fluids that may be hazardous to aquatic fauna (gasoline, hydraulic fluid, motor oil, etc) in areas that may contain California red-legged or mountain yellow-legged frogs will be reported to the Forest Service, FWS, and CPUC within one hour.

[Marginal potential habitat for California red-legged frog exists only at the Amargosa Creek crossing on Segment 5. Protocol-level surveys were conducted in 2009 with negative results. The species is assumed to be absent, so there is no need for avoidance measures.]

B-10 **Conduct presence or absence surveys for desert tortoise and implement avoidance measures.** SCE shall contract with a Fish and Wildlife (FWS)-authorized biologist to conduct FWS protocol-surveys for desert tortoise in the vicinity of the proposed Windhub Substation site at the northern terminus of Segment 10, where historic tortoise burrows were documented and habitat is suitable. The resumes of the FWS-authorized biologists will be provided to the CPUC for concurrence prior to conducting the surveys. This biologist will be referred to as the "authorized biologist" hereafter. Additionally, a qualified biologist shall conduct focused clearance surveys for desert tortoise prior to construction activities within Segment 10 and Segment 4 between the Cottonwind and Whirlwind substations. Clearance surveys shall be conducted 100 m into agricultural areas that are adjacent to suitable habitat. Clearance surveys shall follow the FWS's desert tortoise survey protocol.

To mitigate potential permanent impacts to occupied desert tortoise habitat from Project construction, SCE will acquire habitat occupied by desert tortoises. Disturbance occurring along Segment 10 and along Segment 4 between the Cottonwind and Whirlwind substations shall be mitigated through acquisition of occupied habitat at a ratio of 3:1 (acres of habitat acquired: acres of land permanently disturbed). Mitigation acquisition shall occur at a FWS- and CDFG-approved location and shall be coordinated through a FWS- and CDFG-approved entity. SCE shall enter into a binding legal agreement regarding the preservation of off-site lands describing the terms of the acquisition, enhancement, and management of those lands. Fee title acquisition of habitat lands or a conservation easement over these lands will be transferred to an entity approved by FWS and CDFG, along with funding for enhancement of the land and an endowment for permanent management of the lands. SCE will provide verification to the CPUC that FWS- and CDFG-approved lands have been acquired.

- Prior to the onset of construction activities, SCE shall provide all personnel who will be present on work areas within or adjacent to the Project area the following information:
  a) A detailed description of the desert tortoise including color photographs;
  b) The protection the desert tortoise receives under the Endangered Species Act and possible legal action that may be incurred for violation of the Act;
  c) The protective measures being implemented to conserve the desert tortoise and other species during construction activities associated with the Project; and
  d) A point of contact if desert tortoises are observed.
- All trash that may attract predators of desert tortoises will be removed from work sites or completely secured at the end of each work day.
- In construction areas in occupied desert tortoise areas, work and staging areas will be fenced with approved desert tortoise fencing in a manner that prevents equipment

and vehicles from straying from the designated work area into adjacent habitat. The authorized biologist will assist in determining the boundaries of the area to be fenced in consultation with the FWS/CDFG/CPUC. All workers will be advised that equipment and vehicles must remain within the fenced work areas. Installation of the fencing and any necessary surveys will be directed and/or conducted by the authorized biologist in concurrence with the FWS/CDFG/CPUC.

- If desert tortoises are found within an area that has been fenced to exclude the species, activities will cease until the authorized biologist moves the desert tortoises within 500 m of their original location.
- If desert tortoises are found in a construction area where fencing was deemed unnecessary, work will cease until the authorized biologist moves the individual(s) within 500 m of their original location. The authorized biologist in consultation with FWS/CDFG/CPUC will then determine whether additional surveys or fencing are needed. Work may resume while this determination is being made, if deemed appropriate by the authorized biologist.
- Any desert tortoises found during clearance surveys or otherwise removed from work areas will be placed in nearby suitable, undisturbed habitat within 500 m of their original location. The authorized biologist will determine the best location for their release, based on the condition of the vegetation, soil, and other habitat features and the proximity to human activities. Clearance surveys shall occur on a daily basis in the work area if the area is not fenced. If the area is fenced, only monitoring will need to be conducted.
- SCE shall follow the tortoise Handling Guidelines at all times if handling tortoises is required.
- The authorized biologist will have the authority to stop all activities until appropriate corrective measures have been completed.

SCE shall restrict work to daylight hours, except during an emergency, in order to avoid nighttime activities when desert tortoise may be present on the access road. Traffic speed shall be maintained at 15 mph or less in the work area.

B-14
Trash removal only. Monitor-ing not required, see below.

Monitor construction in condor habitat and remove trash and micro-trash from the work area daily. SCE shall retain a qualified biologist with demonstrated knowledge of California condor identification to monitor all construction activities within the Project area and assist SCE in the implementation of the monitoring program. The resumes of the proposed biologist(s) will be provided to the CPUC and Forest Service for concurrence. This biologist(s) will be referred to as the authorized biologist hereafter. The authorized biologist will be present during all activities immediately adjacent to or within known condor-occupied areas. The authorized biologist will have the authority to stop all activities until appropriate corrective measures have been completed. If condors are observed in helicopter construction areas, SCE shall avoid further helicopter use until the animals have left the area. The authorized biologist will have radio contact with the project foreman, who will be in radio contact with the helicopter pilot. The biologist will provide information to SCE to avoid conflicts with condors. All condor sightings in the Project area will be reported to the FWS and Forest Service (on NFS lands). SCE will coordinate with FWS on the construction schedule and helicopter work areas to determine if any condors have been tracked or observed in the vicinity of the Project area. If condors are observed in helicopter construction areas, then SCE shall avoid further

helicopter use until the animals have left the area and the FWS will be notified immediately. Should condors be found roosting within 0.5 miles of the construction area, no construction activity shall occur between 1 hour before sunset to 1 hour after sunrise, or until the condors leave the area. Should condors be found nesting within 1.5 miles of the construction area, no construction activity will occur until further authorization from the FWS and Forest Service on NFS lands.

Microtrash. All trash is required to be disposed of as written in the Proper Disposal of Construction Waste Plan for the Project. Additional language has been added to this Plan to address the disposal of microtrash. Workers will be trained on the issue of microtrash – what it is, its potential effects to California condors, and how to avoid the deposition of microtrash. In addition, daily sweeps of the work area will occur to collect and remove trash in locations with the potential for California condors to occur.

Worker Education. SCE will develop a flier that will be distributed to all workers on the project concerning information on the California condor. Information to be included consists of the following: species description with photos and/or drawings indicating how to identify the California condor and how to distinguish condors from turkey vultures and golden eagles; protective status and penalties for violation of the ESA; avoidance measures being implemented on the Project; and contact information for communicating condor sightings.

Reporting. All California condor sightings in the Project area will be reported directly to the FWS, Forest Service, and CPUC. Prior to the commencement of helicopter activity, SCE will coordinate with a FWS condor biologist to determine if any condors have been tracked or observed in the vicinity of the Project area.

[For Segments 4, 5, and 10, there is no suitable breeding habitat within the project areas and the area is outside of the range of the California condor so monitoring for the species is not required. However, all trash is required to be disposed of as per the Proper Disposal of Construction Waste Plan for the TRTP.]

B-18a **Conduct preconstruction surveys for Swainson's hawks.** To assure that nesting Swainson's hawks are not disturbed by construction activities, a qualified ornithologist shall conduct preconstruction surveys within one mile of the Project in regions with suitable nesting habitat for Swainson's hawks. The survey periods follow a specified schedule: Period I occurs from 1 January to 20 March, Period II occurs from 20 March to 5 April, Period III occurs from 5 April to 20 April, Period IV occurs from 21 April to 10 June, and Period V occurs from June 10 to July 30. Surveys are not recommended during Period IV because identification is difficult, as the adults tend to remain within the nest for longer periods of time. No fewer than three surveys per period in at least two survey periods shall be completed immediately prior to the start of Project construction. If a nest site is found, consultation with CDFG shall be required to ensure Project construction will not result in nest disturbance. CDFG recommends that no new disturbances or other Project-related activities that may cause nest abandonment or forced fledging be initiated within 0.25 mile of an active nest between 1 March and 15 September, or until 15 August if a Management Authorization is obtained for the Project from the CDFG (CDFG, 1994). These buffer zones may be adjusted as appropriate in consultation with a qualified ornithologist and CDFG.

B-19 **Compensate for loss of foraging habitat for Swainson's hawks.** Loss of foraging habitat for Swainson's hawks shall be mitigated by providing Habitat Management (HM) lands as described in the CDFG's *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California* (CDFG, 1994) because the site is known foraging habitat for Swainson's hawks. The final acreage of HM

lands to be provided on site shall depend on the distance between the Project area and the nearest active nest site (CDFG, 1994), as determined by nest surveys conducted in the spring prior to Project construction. Guidance on the acreage of HM lands to be acquired by SCE can be found in the 1994 CDFG staff report.

Management Authorization holders/Project sponsors shall provide for the long-term management of the HM lands by funding a management endowment (the interest on which shall be used for managing the HM lands).

B-22a **Conduct protocol surveys for Mohave ground squirrels.** Protocol-level surveys for Mohave ground squirrels shall be performed in the portion of the Project containing suitable habitat for Mohave ground squirrel unless further consultation with the CDFG determines the surveys are not required. A qualified biologist will perform these surveys according to CDFG's (2003b) *Mohave Ground Squirrel Survey Guidelines.* The resumes of the proposed biologists will be provided to the CDFG and CPUC for concurrence prior to conducting the surveys.

If at any time a Mohave ground squirrel is detected, trapping will cease. If these surveys obtain positive results for Mohave ground squirrel, or if Mohave ground squirrel presence is assumed within potential habitat, SCE shall obtain incidental take authorization from CDFG. If these surveys determine that the Mohave ground squirrel is absent, then no further action is necessary.

B-22b **Implement construction monitoring for Mohave ground squirrels.** A qualified biological monitor shall be on the site to survey for Mohave ground squirrel during initial grounddisturbing activities. The resumes of the proposed biologists will be provided to the CDFG and CPUC for concurrence prior to conducting the surveys. The name and phone number of the biological monitor shall be provided to a CDFG regional representative at least 14 days before the initiation of ground-disturbing activities. If the biological monitor observes a Mohave ground squirrel on the construction site, determines that a Mohave ground squirrel was killed by Project-related activities during construction, or observes a dead Mohave ground squirrel, a written report shall be sent to CDFG within five calendar days. The report will include the date, time of the finding or incident (if known), and location of the carcass and circumstances of its death (if known). Mohave ground squirrel remains shall be collected and frozen as soon as possible, and CDFG shall be contacted regarding ultimate disposal of the remains.

B-22c **Preserve off-site habitat for the Mohave ground squirrel.** To mitigate potential permanent impacts to occupied Mohave ground squirrel habitat from Project construction, SCE will acquire habitat occupied by Mohave ground squirrels. Guidance on Habitat Management (HM) lands to be acquired by SCE can be found in CDFG's (2003b) *Mohave Ground Squirrel Survey Guidelines.*

- Three acres of off-site habitat supporting Mohave ground squirrels will be preserved for each acre of Mojave creosote bush scrub and Joshua tree woodland outside of the Habitat Conservation Area (HCA) delineated in the WMP.
- One acre of off-site habitat supporting Mohave ground squirrels will be preserved for each acre of desert saltbush scrub that includes desert wash impacted by the Project outside of the HCA delineated in the WMP.
- One-half acre of off-site habitat supporting Mohave ground squirrels will be preserved for each acre of desert saltbush scrub impacted by the Project outside of the HCA delineated in the WMP.
- No mitigation will occur for agricultural, California annual grassland, or

barren/developed ground within the Project area north of Vincent Substation.

Mitigation acquisition shall occur at a CDFG-approved location and shall be coordinated through a CDFG-approved entity. SCE shall enter into a binding legal agreement regarding the preservation of off-site lands describing the terms of the acquisition, enhancement, and management of those lands. Fee title acquisition of habitat lands or a conservation easement over these lands will be transferred to an entity approved by CDFG and CPUC, along with funding for enhancement of the land and an endowment for permanent management of the lands. Management of off-highway vehicles is necessary on Mohave ground squirrel mitigation areas to prevent burrow collapse, especially during the aestivation season. Mitigation areas should be relatively flat with a perennial plant cover ranging from 10 to 20 percent (Zembal and Gall, 1980) and should support several plant species necessary for Mohave ground squirrel survival, including herbaceous annuals, winterfat (*Krascheninnikovia lanata*), spiny hopsage (*Grayia spinosa*), creosote bush (*Larrea tridentata*), and burrobush (*Ambrosia dumosa*) (Best, 1995).

B-23
Segment 4 and 5 only, see species listed below.

Preserve off-site habitat/management of existing populations of special-status plants. SCE shall conduct rare plant surveys, and implement avoidance/ minimization/ compensation strategies. SCE shall conduct surveys according to established and accepted protocol during the floristic period appropriate for each of the rare plant species identified with the potential to occur within the Project ROW and within 100 feet of all surface-disturbing activities. The completion of these surveys shall be coordinated with the CPUC and federal land manager. Populations of rare plants shall be flagged and mapped prior to construction. If rare plants are located during the focused surveys, then modification of the placement of structures, access roads, laydown areas, and other ground-disturbing activities would be implemented in order to avoid the plants, if feasible. A report of special-status plants observed shall be prepared and submitted to the CPUC, State Parks (for activities in CHSP associated with Alternative 4), and the federal land manager (Forest Service and USACE). Impacts to non-listed plant species (i.e., Forest Service Sensitive, CNPS List 1,2 and 4 species) shall first be avoided where feasible, and, where not feasible, impacts shall be compensated through reseeding (with locally collected seed stock), or other Forest Service, USACE, and CPUC approved methods. If Project activities will result in loss of more than 10 percent of the known individuals within an existing population of Forest Service Sensitive, and/or special-status plant species SCE shall preserve existing off-site occupied habitat that is not already part of the public lands in perpetuity at a 2:1 mitigation ratio (habitat preserved: habitat impacted). On federal lands, this ratio may be reduced at the discretion of the federal land manager. The CPUC may reduce this ratio depending on the sensitivity of the plant on non-federal lands. The preserved habitat shall be occupied by the plant species impacted, and be of superior or similar habitat quality to the impacted areas in terms of soil features, extent of disturbance, habitat structure, and dominant species composition, as determined by a qualified plant ecologist.

All special-status plant species impacted by Project activities shall be documented in an annual report and submitted to the CPUC and federal land manager (Forest Service and USACE). Where reseeding has occurred, SCE shall track the success of the plants during the course of the annual restoration monitoring. This information shall be submitted as part of the annual report to the CPUC and federal land manager (Forest Service and USACE).

[Protocol-level focused surveys detected special-status plant species on Segments 4 and 5 (California Androsace, Peirson's morning-glory, and short-joint beavertail). Avoidance, minimization, and compensation strategies, including off-site habitat preservation will be

implemented in accordance with the FEIR/FEIS and mitigation monitoring plan.]

B-25
Segment 5 only

Conduct focused surveys for two-striped garter snakes and south coast garter snakes and implement monitoring, avoidance, and minimization measures.

A qualified biologist shall conduct focused surveys for two-striped garter snakes (both on and off NFS lands) and south coast garter snakes (non-NFS lands only) where suitable habitat is present and directly impacted by construction vehicle access, or maintenance. The resume of the proposed biologists will be provided to the CPUC, Forest Service and USACE (as appropriate) for concurrence prior to conducting the surveys. This biologist will be referred to as the authorized biologist hereafter. Focused surveys shall consist of a minimum of four daytime surveys, to be completed between 1 April and 1 September. The survey schedule may be adjusted in consultation with the CPUC, Forest Service, and/or USACE to reflect the existing weather or stream conditions. If either species is detected in or adjacent to the Project or at any wet fords to be traversed by motorized vehicles as part of Project construction activities, the following minimization measures will be required. SCE shall retain a qualified herpetologist with demonstrated expertise with garter snakes to monitor construction activities. The resume of the proposed biologist will be provided to the CPUC, Forest Service, and USACE (as appropriate) for concurrence prior to the onset of ground-disturbing activities or vehicular crossings at wet fords. This biologist will be referred to as the authorized biologist hereafter. The authorized biologist will be present during all activities immediately adjacent to or within habitat that supports populations of the two-striped garter snake and/or south coast garter snake. Clearance surveys for garter snakes shall be conducted by the authorized biologist prior to the initiation of construction each day. Any snakes found within the area of disturbance or potentially affected by the Project will be relocated to the nearest suitable habitat that will not be affected by the Project.

[Suitable habitat for two-striped garter snake is present only on Segment 5 at Amargosa Creek and focused surveys found the species at this location in 2009.]

B-27

Monitoring, avoidance, and minimization measures for special-status terrestrial herpetofauna. A qualified biologist with demonstrated expertise with special-status terrestrial herpetofauna shall monitor all construction activities and assist SCE in the implementation of the monitoring efforts. The resume of the proposed biologist will be provided to the CPUC, USACE, and FS (as appropriate) for concurrence prior to the onset of ground-disturbing activities. This biologist will be referred to as the authorized biologist hereafter. The authorized biologist will be present during ground-disturbing activities immediately adjacent to or within habitat that supports populations of the special-status terrestrial herpetofauna. Any special-status terrestrial herpetofauna found within a Project impact area shall be salvaged by the authorized biologist and relocated to suitable habitat outside the impact area. If the installation of exclusion fencing is deemed necessary by the authorized biologist, the authorized biologist will direct the installation of the fence. Clearance surveys for special-status herpetofauna shall be conducted by the authorized biologist prior to the initiation of construction each day.

[In addition to special-status herpetofauna already discussed above, San Diego Horned Lizard and Silvery Legless Lizard were detected on Segment 5. Monitoring, avoidance, and minimization measures will be implemented in accordance with the FEIR/FEIS and mitigation monitoring plan for these and all other occurring/potentially occurring special-status herpetofauna.]

B-29 **Implement CDFG protocol for burrowing owls.** In conformance with federal and State regulations regarding the protection of raptors, a habitat assessment in accordance with CDFG protocol for burrowing owls (CBOC, 1993) shall be completed on non-NFS lands prior to the start of construction. Burrowing owl habitat within the Project area and within a 500-foot buffer zone shall be assessed ("Assessment Area"). If the habitat assessment concludes that the Assessment Area lacks suitable burrowing owl habitat, no additional action is required. However, if suitable habitat is located on the Assessment Area, all ground squirrel colonies or potential burrow locations shall be mapped at an appropriate scale, and the following mitigation measures shall be implemented:

- In conformance with federal and State regulations regarding the protection of raptors, a preconstruction survey for burrowing owls, in conformance with CDFG protocol, consisting of three site visits, shall be completed no more than 30 days prior to the start of construction within suitable habitat at the Project site(s) and buffer zone(s).
- Occupied burrows shall not be disturbed during the nesting season (1 February through 31 August) unless a qualified biologist approved by CDFG verifies through non-invasive methods that either the birds have not begun egg-laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. Eviction outside the nesting season may be permitted pending evaluation of eviction plans and receipt of formal written approval from the CDFG authorizing the eviction.
- Any damaged or collapsed burrows will be replaced with artificial burrows in adjacent habitat.
- Unless otherwise authorized by CDFG, a 250-foot buffer, within which no activity will be permissible, will be maintained between Project activities and nesting burrowing owls during the nesting season. This protected area will remain in effect until 31 August or at CDFG's discretion and based upon monitoring evidence, until the young owls are foraging independently.

If accidental take (disturbance, injury, or death of owls) occurs, the CDFG/CPUC/Forest Service/USACE lead monitor will be notified immediately.

B-33a **Maternity colony or hibernaculum surveys for roosting bats.** SCE shall conduct a pre-activity (e.g., vegetation removal, grading) survey for roosting bats within 200 feet of project activities within 15 days prior to any grading of rocky outcrops or removal of towers or trees (particularly trees 12 inches in diameter or greater at 4.5 feet above grade with loose bark or other cavities).

SCE shall also conduct surveys for roosting bats during the maternity season (1 March to 31 July) within 300 feet of project activities. Trees and rocky outcrops shall be surveyed by a qualified bat biologist (i.e., a biologist holding a CDFG collection permit and a Memorandum of Understanding with CDFG allowing the biologist to handle bats). Surveys shall include a minimum of one day and one evening. The resume of the biologist shall be provided to the CPUC, Forest Service, and USACE (as appropriate) for concurrence prior to any Project activities.

If active maternity roosts or hibernacula are found, the rock outcrop or tree occupied by the roost shall be avoided (i.e., not removed) by the Project, if feasible. If avoidance of the maternity roost is not feasible, the bat biologist shall survey (through the use of radio telemetry or other CDFG/Forest Service/USACE approved methods) for nearby alternative maternity colony sites. If the bat biologist determines in consultation with and

with the approval of the CDFG, Forest Service, USACE (as appropriate), and CPUC that there are alternative roost sites used by the maternity colony and young are not present then no further action is required, and it will not be necessary to provide alternate roosting habitat (i.e., Mitigation Measure B-33b would not apply although Mitigation Measure B-33c would still apply). However, if there are no alternative roosts sites used by the maternity colony, Mitigation Measure B-33b is required. If no active roosts are found, then no further action is required. If active maternity roosts are absent, but a hibernaculum (i.e., a non-maternity roost) is present, then Mitigation Measure B-33b is not necessary, but Mitigation Measure B-33c is required.

B-33b
Based on results of B-33a

Provision of substitute roosting bat habitat.

If a maternity roost will be impacted by the Project, and no alternative maternity roosts are in use near the site, substitute roosting habitat for the maternity colony shall be provided on, or in close proximity to, the Project site no less than three months prior to the eviction of the colony. Alternative roost sites will be constructed in accordance with the specific bats requirements in coordination with CDFG and the Forest Service. By making the roosting habitat available prior to eviction (Mitigation Measure B-33c), the colony will have a better chance of finding and using the roost. Large concrete walls (e.g., on bridges) on south or southwestern slopes that are retrofitted with slots and cavities are an example of structures that may provide alternative roosting habitat appropriate for maternity colonies. Alternative roost sites must be of comparable size and proximal in location to the impacted colony. The CDFG shall also be notified of any hibernacula or active nurseries within the construction zone.

[No bat roosting sites are known or expected in the Segment 4, 5, and 10 project area. If such habitat is detected by measure B-33a and must be removed, measures to replace it will be implemented in accordance with the FEIR/FEIS and mitigation monitoring plan.]

B-33c
Based on results of B-33a

Exclude bats prior to demolition of roosts.

If non-breeding bat hibernacula are found in towers or trees scheduled to be removed or in crevices in rock outcrops within the grading footprint, the individuals shall be safely evicted, under the direction of a qualified bat biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by the bat biologist (e.g., installation of one-way doors). The resume of the bat biologist shall be provided to the CPUC, FS, and USACE (as appropriate) for concurrence prior to any Project activities. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed and temperatures should be sufficiently warm for bats to exit the roost because bats do not typically leave their roost daily during winter months in southern coastal California. This action should allow all bats to leave during the course of one week. Roosts that need to be removed in situations where the use of one-way doors is not necessary in the judgment of the qualified bat biologist shall first be disturbed by various means at the direction of the bat biologist at dusk to allow bats to escape during the darker hours, and the roost tree shall be removed or the grading shall occur the next day (i.e., there shall be no less or more than one night between initial disturbance and the grading or tree removal).

If an active maternity roost is located in an area to be impacted by the Project, and alternative roosting habitat is available, the demolition of the roost site must commence before maternity colonies form (i.e., prior to 1 March) or after young are flying (i.e., after 31 July) using the exclusion techniques described above.

[No bat roosting sites are known or expected in the Segment 4, 5, and 10 project area. If

such habitat is detected by measure B-33a and must be removed, measures to replace it will be implemented in accordance with the FEIR/FEIS and mitigation monitoring plan.]

B-37 **Conduct focused surveys for ringtail and passively relocate ringtail during the non-breeding season.** SCE shall conduct pre-construction ringtail surveys on non-NFS lands at sites with suitable denning habitat within the Project area. This includes at a minimum Amargosa Creek, Santa Anita Canyon, San Gabriel River, and Tonner Canyon within 200 feet of any ground disturbing activity. SCE shall provide a list to the CPUC and State Parks (for activities in CHSP associated with Alternative 4) of the proposed survey areas for approval. Occupied dens will be flagged and ground-disturbing activities within 200 feet will be avoided. If occupied dens are found in the Project area and avoidance is not possible, denning ringtail shall be safely evicted under the direction of a qualified biologist (as determined by a Memorandum of Understanding with CDFG). The qualified biologist shall facilitate the removal of ringtail by delaying construction activity for a minimum 20 days during the early pup-rearing season (1 May to 15 June) and a minimum of 5 days during the rest of the year (16 June to 30 April). If the qualified biologist documents ringtail voluntarily vacating the den site during this period, then construction may begin within 7 days following this observation. If the ringtails do not vacate the den voluntarily within the required period, then the qualified biologist will coordinate with CDFG to passively relocate ringtail (excluding the early pup-rearing season: 1 May to 15 June). All activities that involve the ringtail shall be documented and reported to the CDFG, State Parks (as appropriate), and CPUC within 30 days of the activity.

B-38 **Conduct focused surveys for American badgers and passively relocate during the non-breeding season.** SCE shall implement pre-construction surveys for American badger within suitable habitat on non-NFS lands. If present, occupied badger dens shall be flagged and ground-disturbing activities avoided within 50 feet of the occupied den avoided. Maternity dens shall be avoided during pup-rearing season (15 February through 1 July) and a minimum 200- foot buffer established. Buffers may be modified with the concurrence of CDFG and CPUC. Maternity dens shall be flagged for avoidance, identified on construction maps, and a biological monitor shall be present during construction.

If avoidance of a non-maternity den is not feasible, badgers shall be relocated by slowly excavating the burrow (either by hand or mechanized equipment under the direct supervision of the biologist, removing no more that 4 inches at a time) before or after the rearing season (15 February through 1 July). Any relocation of badgers shall occur only after consultation with the CDFG, USACE (as appropriate), State Parks (for activities in CHSP associated with Alternative 4), and CPUC monitor. A written report documenting the badger removal shall be provided to the CDFG, USACE (as appropriate), State Parks (as appropriate), and CPUC within 30 days of relocation.

	Hydrology APMs
APM HYD-1	**Construction SWPPP.** A Construction Stormwater Pollution Prevention Plan (SWPPP) would be developed for the project. Notices of Intent (NOIs) would be filed with the SWRCB and/or the Regional Water Quality Control Boards (RWQCBs), and a Waste Discharge Identification Number (WDID) would be obtained prior to construction. The SWPPP would be stored at the construction site for reference or inspection review. In addition, grading permit applications would be submitted, as applicable, to local jurisdictions. Implementation of the SWPPP would help stabilize graded areas and waterways and reduce erosion and sedimentation. The plan would designate BMPs that would be adhered to during construction activities. Erosion-minimizing efforts such as straw wattles, water bars, covers, silt fences, and sensitive area access restrictions (e.g., flagging) would be implemented before clearing and grading would begin. Mulching, seeding, or other suitable stabilization measures would be used to protect exposed areas during construction activities. During construction activities, measures would be in place to ensure that contaminates are not discharged from the construction sites. The SWPPP would define areas where hazardous materials would be stored; where trash would be placed; where rolling equipment would be parked, fueled and serviced; and where construction materials such as reinforcing bars and structural steel members would be stored. Erosion control during grading of the construction sites and during subsequent construction would be in place and monitored as specified by the SWPPP. A silting basin(s) would be established, as necessary, to capture silt and other materials that might otherwise be carried from the site by surface runoff of rainwater. In addition to a Construction SWPPP, all additionally required documents and procedures (as required in the anticipated April 2009 CGP) will be developed. These procedures may include effluent monitoring, receiving water monitoring, additional staff training, additional documentation, online reporting of all documentation and monitoring results, and project risk analysis.
APM HYD-2	**Environmental Training Program.** An environmental training program would be established to communicate environmental concerns and appropriate work practices, including spill prevention and response measures and SWPPP measures, to all field personnel. A monitoring program would be implemented to ensure that the plans are followed throughout the period of construction.
APM HYD-3	**Accidental Spill Control.** The Construction SWPPP identified above would include procedures for quick and safe cleanup of accidental spills. The Construction SWPPP would prescribe hazardous materials handling procedures for reducing the potential for a spill during construction and would include an emergency response program to ensure quick and safe cleanup of accidental spills. The SWPPP would identify areas where refueling and vehicle maintenance activities and storage of hazardous materials, if any, would be permitted.
APM HYD-4	**Non-stormwater and Waste Management Pollution Controls.** Oil-absorbent materials, tarps, and storage drums would be used to contain and control any minor releases of transformer oil. In the event that excess water or liquid concrete escapes from foundations during pouring, it would be directed to bermed areas adjacent to the borings where the water would infiltrate or evaporate and the concrete would remain and begin to set. Once the excess concrete has been allowed to set up (but before it is dry), it would be removed and transported to an approved landfill for disposal.
APM HYD-5	**Hazardous Material Identification.** A Phase I Environmental Site Assessment (ESA) would be performed at each new or expanded substation location and along newly

acquired transmission line ROWs. Depending on the results of the Phase I ESA, soil sampling would be conducted and remedial activities would be implemented, if applicable. If hazardous materials should be encountered during any construction activities, work would be stopped until the materials are properly characterized and appropriate measures are taken to protect human health and the environment. If excavation of hazardous materials is required, they would be handled, transported, and disposed of in accordance with federal, state, and local regulations.

APM HYD-6 **Drilling and Construction Site Dewatering Management.** Any dewatering operations associated with drilling and LST/TSP footing installation would follow applicable state and local regulatory requirements. If groundwater should be encountered while excavating or constructing the transmission line or substations, dewatering operations would be performed. These operations would include, as applicable, the use of sediment traps and sediment basins in accordance with BMP NS-2 (Dewatering Operations) from the California Stormwater Quality Association's (CASQA's) California Stormwater BMP Handbook – Construction (CASQA 2003).

APM HYD-7 **Flood and Erosion Structure Damage Protection.** Transmission towers or other structures would not be placed within waterway protection corridors (floodways) defined by city and county codes. Aboveground project features such as transmission line towers and substation facilities would be designed and engineered to withstand potential flooding and erosion hazards. Although some project features may need to be placed within 100-year floodplain boundaries, they would be designed per applicable floodplain development guidelines. Measures would include specially designed footings to withstand flooding due either to a 100-year flood event or a failure of a nearby upstream dam or reservoir. The main project facilities (i.e., substations) would be located outside of known watercourses.

APM HYD-8 **Operation Stormwater Management Plan.** The post-construction (Operation) Stormwater Management Plan (SWMP) for Vincent Substation would be updated. The SWMP identifies potential pollutants based on activities that take place at the site and discusses the appropriate BMPs that should be used to prevent pollutants from entering stormwater and non-stormwater runoff from the site. The SWMP also includes requirements for periodic site training for employees and inspections by on-site personnel.

APM GEO-2 **Perform Geotechnical Studies.** Prior to final design of substation facilities and T/L tower foundations, a geotechnical study would be performed to identify site-specific geologic conditions and potential geologic hazards in enough detail to support good engineering practice. The geotechnical study would be performed by professional civil or geotechnical engineers and engineering geologists licensed in the State of California and would provide design and construction recommendations, as appropriate, to reduce potential impacts from geologic hazards or soil conditions.

APM HAZ-2 **Hazardous Materials and Waste Handling Management.** Hazardous materials used and stored on site for the proposed construction activities, as well as hazardous wastes generated on site as a result of the proposed construction activities, would be managed according to the specifications outlined below.

- **Hazardous Materials and Hazardous Waste Handling:** A project-specific hazardous materials management and hazardous waste management program would be developed prior to initiation of the project. The program would outline proper hazardous materials use, storage, and disposal requirements as well as hazardous waste management procedures. The program would identify the types of hazardous

materials to be used during the project and the types of wastes that would be generated. All project personnel would be provided with project-specific training. This program would be developed to ensure that all hazardous materials and wastes would be handled in a safe and environmentally sound manner. Hazardous wastes would be handled and disposed of according to applicable rules and regulations. Employees handling wastes would receive hazardous materials training and would be trained in hazardous waste procedures, spill contingencies, waste minimization procedures, and treatment, storage, and disposal facility (TSDF) training in accordance with OSHA Hazard Communication Standards and 22 CCR. SCE would use landfill facilities that are authorized to accept treated wood pole waste in accordance with HSC 25143.1.4(b).

- **Construction SWPPP:** A project-specific construction SWPPP would be prepared and implemented prior to the start of construction of the transmission line and substations. The SWPPP would use BMPs to address the storage and handling of hazardous materials and sediment runoff during construction activities (California Stormwater Quality Association 2004).
- **Transport of Hazardous Materials:** Hazardous materials that would be transported by truck include fuel (diesel fuel and gasoline) and oil and lubricants for equipment. Containers used to stored hazardous materials would be properly labeled and kept in good condition. Written procedures for the transport of hazardous materials used would be established in accordance with U.S. Department of Transportation and California Department of Transportation regulations. A qualified transporter would be selected to comply with U.S. Department of Transportation and California Department of Transportation regulations.
- **Fueling and Maintenance of Construction Equipment:** Written procedures for fueling and maintenance of construction equipment would be prepared prior to construction. Vehicles and equipment would be refueled on site or by tanker trucks. Procedures would include the use of drop cloths made of plastic, drip pans, and trays to be placed under refilling areas to ensure that chemicals do not come into contact with the ground. Refueling stations would be located in designated areas where absorbent pad and trays would be available. The fuel tanks would also contain a lined area to ensure that accidental spillage does not occur. Drip pans or other collection devices would be placed under the equipment at night to capture drips or spills. Equipment would be inspected daily for potential leakage or failures. Hazardous materials such as paints, solvents, and penetrants would be kept in an approved locker or storage cabinet.
- **Fueling and Maintenance of Helicopters:** Written procedures for fueling and maintenance of helicopters would be prepared prior to construction. Helicopters would be refueled at helicopter staging areas or local airports. Procedures would include the use of drop cloths made of plastic, drip pans, and trays to be placed under refilling areas to ensure that chemicals do not come into contact with the ground. Refueling areas would be located in designated areas where absorbent pad and trays are available.
- **Emergency Release Response Procedures:** An Emergency Response Plan detailing responses to releases of hazardous materials would be developed prior to construction activities. It would prescribe hazardous materials handling procedures for reducing the potential for a spill during construction and would include an emergency response program to ensure quick and safe cleanup of accidental spills. All hazardous materials spills or threatened releases, including petroleum products such as gasoline, diesel, and hydraulic fluid, regardless of the quantity spilled, would be immediately reported if the spill entered a navigable water, stream, lake, wetland, or storm drain; affected any sensitive area, including conservation areas and wildlife preserves; or caused injury to

	a person or threatened injury to public health. All construction personnel, including environmental monitors, would be aware of state and federal emergency response reporting guidelines.
APM HAZ-5	**Spill Prevention, Countermeasure, and Control Plan and Hazardous Materials Business Plan • Spill Prevention, Countermeasure, and Control Plan (SPCC Plan).** In accordance with Title 40 of the CFR, Part 112, SCE would prepare a SPCC for proposed and/or expanded substations. The plans would include engineered and operational methods for preventing, containing, and controlling potential releases and provisions for quick and safe cleanup. • **Hazardous Materials Business Plans (HMBPs).** Prior to operation of new or expanded substations, SCE would prepare or update and submit, in accordance with Chapter 6.95 of the CHSD, and Title 22 CCR, an HMBP. The required documentation would be submitted to the CUPA. The HMBPs would include hazardous materials and hazardous waste management procedures and emergency response procedures, including emergency spill cleanup supplies and equipment.
	Hydrology Mitigation Measures
H-1a	**Implement an Erosion Control Plan and Demonstrate Compliance with Water Quality Permits.** SCE shall develop and submit to the CPUC and Forest Service for approval 30 days prior to construction an Erosion Control Plan and implement BMPs, as described below. (Note: The Erosion Control Plan may be part of the same document as the SWPPP.) Within the Erosion Control Plan, the applicant shall identify the location of all soil-disturbing activities, including new and/or improved access and spur roads, the location of all streams and drainage structures that would be directly affected by soil-disturbing activities (such as stream crossings by access roads), and the location and types of all BMPs that would be installed to protect aquatic resources. The Erosion Control Plan shall include a proposed schedule for the implementation and maintenance of erosion control measures and a description of the erosion control practices, including appropriate design details. As part of the Erosion Control Plan, SCE shall maintain a logbook of all precipitation events within the project area that produce more than 1 inch of precipitation within a 24-hour period. The logbook shall contain the date of the precipitation event, the approximate duration of the event, and the amount of precipitation (measured as the largest amount recorded by a rain gage or weather station within 1 mile of the project). Additionally, the logbook shall include a narrative evaluation (and/or a numerical evaluation, if required by the Forest Service or other jurisdictional agency) of the erosion-prevention effectiveness of the existing BMPs as well as a description of any post-storm modifications to those BMPs. The logbook shall be submitted to the CPUC and Forest Service for review within 30 days following the first storm event (after construction has begun) that produces more than 1 inch of precipitation within a 24-hour period. SCE shall resubmit the logbook annually after the first storm of the rainy season that produces more than 1 inch of precipitation within a 24-hour period. The logbook shall be retired 5 years after completion of construction. In addition to the Erosion Control Plan, the applicant shall submit to the CPUC and the Forest Service evidence of possession of all required permits before engaging in soil-disturbing construction/demolition activities, before entering flowing or ponded water, or before constructing a crossing at flowing or ponded water. Such permits may include a Streambed Alteration Agreement from CDFG, a Clean Water Act Section 404 permit from USACE, a Clean Water Act Section 402 NPDES General Permit for Stormwater Discharges

	Associated with Construction Activities (General Permit) from the applicable RWQCBs, and/or Clean Water Act Section 401 certification from the applicable RWQCBs. In addition, if construction-related excavation activities on NFS lands encounter perched groundwater, triggering the need for dewatering activities to occur in compliance with APM HYD-6 (Drilling and Construction Site Dewatering Management), SCE shall notify the Forest Service at the onset of dewatering and, upon the completion of dewatering activities at the affected site(s), SCE shall submit to the Forest Service a written description of all executed dewatering activities, including steps taken to return encountered groundwater to the subsurface.
H-1b	**Dry-Weather Construction.** Any construction activities within the Angeles National Forest and/or CHSP (CHSP is included as part of this measure only for Alternative 4 [Routes A through D]) shall be scheduled to avoid anticipated precipitation events that are predicted to produce more than 0.5-inch of precipitation over a 24-hour period, unless expressly authorized by the Forest Service and/or the California Department of Parks and Recreation (State Parks). If an unexpected precipitation event occurs while construction activities are already under way, SCE shall contact the Forest Service and/or State Parks for guidance. The Forest Service and/or State Parks may require cessation of construction activities within their jurisdiction during any precipitation event to prevent excessive erosion and protect aquatic resources. On NFS lands, SCE shall also observe any criteria promulgated by the Forest Service regarding construction during precipitation events. SCE shall provide documentation to the CPUC monitor of all wet-weather coordination with the Forest Service and/or State Parks.