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## State Water Resources Control Board

August 26, 2020

Hazem Gabr  
Water Quality Section Manager, Environmental Services  
Southern California Edison  
2244 Walnut Grove Avenue  
GO-1, Quad 2C, Environmental Services  
Rosemead, CA 91770  
[Hazem.Gabr@sce.com](mailto:Hazem.Gabr@sce.com)

**Subject: NOTICE OF APPLICABILITY OF STATE WATER BOARD  
CERTIFICATION OF THE 2017 NATIONWIDE PERMITS –  
NATIONWIDE PERMIT 12: UTILITY LINE ACTIVITIES – LEE VINING –  
POOLE 115 kV SUBTRANSMISSION LINE REMEDIATION PROJECT**

Dear Hazem Gabr,

Enclosed please find a Notice of Applicability (NOA) authorized by State Water Resources Control Board Deputy Director for the Division of Water Quality, Karen Mogus. This NOA is issued to Southern California Edison for the Lee Vining – Poole 115 kV Subtransmission Line Remediation Project (Project). The State Water Board Certification of the 2017 Nationwide Permits (General Order) is included as part of this NOA and is available for download at [the State Water Board's Certification General Orders web page](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2017) ([https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/generalorders.html#yr\\_2017](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2017)). Attachment B of the General Order includes the General Order's Reporting and Monitoring Requirements.

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

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

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

Lee Vining – Poole 115 kV Subtransmission Line  
Remediation Project  
Southern California Edison

Reg Measure ID: 438907

Sincerely,

Alex Lopez, Environmental Scientist  
Division of Water Quality

Enclosure (1): NOA for the Lee Vining – Poole 115 kV Subtransmission Line  
Remediation Project (Project)

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

Jason Lambert, Senior Wetlands Specialist  
Environmental Services  
Southern California Edison  
[Jason.Lambert@sce.com](mailto:Jason.Lambert@sce.com)

Sam Ziegler, Chief  
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U.S. Environmental Protection Agency, Region 9  
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Kim Freeburn  
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Karen Mogus, Deputy Director  
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Jan Zimmerman  
Program Manager  
Lahontan Regional Water Quality Control Board, Victorville Office  
[Jan.Zimmerman@waterboards.ca.gov](mailto:Jan.Zimmerman@waterboards.ca.gov)

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## State Water Resources Control Board

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### NOTICE OF APPLICABILITY FOR NATIONWIDE PERMIT 12: UTILITY LINE ACTIVITIES

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**Effective Date:** August 26, 2020

**Program Type:** Fill/Excavation

**Project Type:** Overhead Utility

**Project:** Lee Vining – Poole 115 kV Subtransmission Line  
Remediation Project  
Regulatory Measure ID: 438907  
WDID: SB20018IN

**Applicant:** Southern California Edison  
**Applicant Contact:** Hazem Gabr  
Water Quality Section Manager, Environmental Services  
2244 Walnut Grove Avenue  
GO-1, Quad 2C, Environmental Services  
Rosemead, CA 91770  
Phone: (626) 302-7608  
Email: [Hazem.Gabr@sce.com](mailto:Hazem.Gabr@sce.com)

**State Water Board Staff:** Alex Lopez  
Environmental Scientist  
1001 I Street  
Sacramento, CA 95814  
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**State Water Board Contact Person:**

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

## **I. Action**

This document serves as a Notice of Applicability (NOA) for enrollment under the State Water Board Certification of the 2017 Nationwide Permits (SWRCB ID SB17001GN; hereafter referred to as the General Order) at the request of Southern California Edison (Applicant). The General Order can be accessed at [the Clean Water Act Section 401 - Certification and Wetlands Program, General Orders webpage](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2017) ([https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/generalorders.html#yr\\_2017](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2017)). On August 6, 2020, the State Water Board received a complete Notice of Intent (NOI) requesting authorization for the Applicant's Lee Vining – Poole 115 kV Subtransmission Line Remediation Project (Project). After reviewing the NOI, the State Water Board has determined that the Project meets General Order requirements for Nationwide Permit 12: Utility Line Activities.

## **II. Project Purpose**

As described in the Project NOI and supplemental information (hereafter referred to as the Application), which is incorporated herein by reference, the purpose of the Project is to remove and replace eight wood H frame structures with new lightweight steel pole H-frame structures between 5 and 10 feet taller, and to install one new lightweight steel pole H-frame structure (4915857E/58E) on the existing circuit. The Project is being implemented as part of the Applicant's Wildfire Mitigation Plan, as required by the California Public Utilities Commission under Senate Bill 901.

## **III. Project Location**

The Project is located along State Route 120, between 1.5 and 5.8 miles southwest and west of the intersection of State Route 120 and U.S. Route 395, near the census-designated place of Lee Vining, Mono County, California. The Project coordinates are 37°56'10.7"N, 119°11'1.9"W.

## **IV. Receiving Waters Information**

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

**Table 1: Receiving Water Information**

Impact Site ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303(d) Listing Pollutants
Pole 4915858E	Lee Vining Creek	Wetland	601.00	Mono Lake	MUN, GWR, FRSH, POW, REC-1, REC-2, COMM, COLD, WILD, SPWN	N/A
Poles 1868450E /51E	Lee Vining Creek	Wetland	601.00	Mono Lake	MUN, GWR, FRSH, POW, REC-1, REC-2, COMM, COLD, WILD, SPWN	N/A
Poles 1868452E /53E	Lee Vining Creek	Wetland	601.00	Mono Lake	MUN, GWR, FRSH, POW, REC-1, REC-2, COMM, COLD, WILD, SPWN	N/A
Poles 1789067E /68E	Lee Vining Creek	Wetland	601.00	Mono Lake	MUN, GWR, FRSH, POW, REC-1, REC-2, COMM, COLD, WILD, SPWN	N/A

**V. Direct Impacts to Waters of the State**

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

**Table 2: Total Project Fill/Excavation Quantity to Wetlands**

Temporary Impact <sup>1</sup>	Permanent Impact - Physical Loss of Area	Permanent Impact - Degradation of Ecological Condition Only
0.065 acres 164 linear feet	0.001 acres 9 linear feet	0 acres 0 linear feet

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

## **VI. Description of Indirect Impacts to Waters of the State**

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

## **VII. Avoidance and Minimization**

In order to avoid and minimize impacts to waters of the state and their designated beneficial uses, the Applicant will follow the avoidance and minimization measures as proposed in their Application.

## **VIII. Mitigation for Temporary and Permanent Impacts**

All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of construction activities in compliance with the General Order and according to the restoration plan submitted by the Applicant in the Application.

The Applicant has provided a letter of credit in favor of the State Water Board to provide security against a default in providing the required compensatory mitigation. By January 15, 2021, the Applicant shall submit a mitigation plan to the State Water Board in accordance with Section XIII.F.2.e.ii.2 of the General Order. By June 1, 2021, the applicant shall submit proof of credit purchase in accordance with Section XIII.F.2.e.ii.3 of the General Order.

Total required Project compensatory mitigation information for permanent physical loss of area shall be greater than or equal to the Project's permanent impact totals listed in Table 2, above, in the form of mitigation bank or in-lieu fee credit purchases in quantities consistent with the mitigation ratios provided in Section XIII.F.2.e.ii.2 of the General Order.

## **IX. California Environmental Quality Act (CEQA)**

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

## **X. Certification Fees**

A fee payment of \$1949 was received by the State Water Board on June 29, 2020 (California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3)).

## **XI. Authorization**

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

The Applicant should become familiar with the contents of the General Order. A copy of the General Order and its attachments can be found on [the State Water Resources Control Board's website](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2017) (https://www.waterboards.ca.gov/water\_issues/programs/cwa401/generalorders.html#yr\_2017).

## **XII. Reporting and Notification Requirements**

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

Electronic Document Submittal: The Applicant must submit all reports and information required under this Certification according to the Report Submittal Instructions found in Attachment B, “Reporting and Notification Requirements,” of the General Order. Each electronic document must be submitted as a single file, in Portable Document Format (PDF), and converted to text searchable format using Optical Character Recognition (OCR). Documents over 50 megabytes (MB) will not be accepted via email and must be placed on a disc and delivered to the addresses listed above.

## **XIII. Water Quality Certification**

I hereby issue this Notice of Applicability for the Lee Vining – Poole 115 kV Subtransmission Line Remediation Project, certifying that as long as all of the conditions listed in the General Order are met, any discharge from the referenced Project will comply with the applicable provisions of Clean Water Act sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards).

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



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

*Phillip Crader*

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for Karen Mogus, Deputy Director  
Division of Water Quality

*8/26/2020*

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Date