

Responses to Comment Set B State Water Resources Control Board

B-1 The commenter correctly noted that Figures 5.9-1 and 5.9-2, which represent water resources conditions in the Proposed Project area, are missing from Section 5.9.1 (Setting) in the Draft IS/MND. Figure 5.9-1 (Hydrology and Floodplain Boundaries), which was taken from SCE’s Proponent’s Environmental Assessment, has been added to the Final IS/MND to show surface water resources. Figure 5.9-2 (Groundwater Resources), also added in the Final IS/MND, shows the boundaries of groundwater basins underlying the Proposed Project area.

As recommended by the commenter, the following additional text and Table 5.9-1 (Surface Water Characteristics) have also been added to better characterize surface water features traversed by the Proposed Project in Section 5.9.1 (Hydrology and Water Quality, Setting):

Surface Waters

Surface waters in the Project area are both ephemeral, containing active flow in direct response to precipitation events, and perennial, containing flow throughout the year. The nearest surface water features to the proposed Banducci Substation site consist of several small, perennial ponds located east of the ~~proposed Banducci Substation~~ site, with the nearest feature less than one mile to the east. Brite Lake is located approximately three miles northeast of the proposed substation site. Proposed Telecommunications Routes 1 and 2 would traverse Brite Creek and several unnamed streams. Brite Creek drains the southeast portion of Brite Valley Groundwater Basin, described under the “Groundwater” subheading below. Surface waters in the Project area are shown on ~~Please see~~ Figure 5.9-1.

A Jurisdictional Delineation has not yet been conducted for this Project area, but would be completed in compliance with Mitigation Measure B-12 (Delineate Jurisdictional Wetlands and Waters), described in Section 5.4; in accordance with this mitigation measure, any Waters of the State and Waters of the U.S. located in the Project area will be identified, characterized, and quantified. In the absence of a Jurisdictional Delineation, named surface waters that would be traversed by the Project are described in the table below.

Table 5.9-1. Surface Water Characteristics

<u>Waterbody Name</u>	<u>Nearest Downstream Waterbody</u>	<u>Basin Name and HUC</u>	<u>Beneficial Uses(s)</u>	<u>Waterbody Type</u>	<u>CWA 303(d) List?</u>
<u>Brite Creek</u>	<u>Tehachapi Creek</u>	<u>Middle Kern– Upper Tehachapi– Grapevine (18030003)</u>	<u>n/a</u>	<u>Ephemeral Stream</u>	<u>Brite Creek – No; Tehachapi Creek – No</u>

As noted above, Beneficial Uses have not been designated for Brite Creek, and Brite Creek is also not identified on the Clean Water Act Section 303(d) List of Water Quality Limited Segments Requiring TMDLs (Central Valley RWQCB, 2007). No other named waters would be traversed by the Project.

Finally, the commenter notes that it would be helpful to know what the potential impacts at each site would be and what APMs would be proposed to apply to each affected site. In response, the impact analysis in Section 5.9 (Hydrology and Water Quality) has been expanded, as shown below, to describe that specific best management practices (BMPs) are not identified for each crossing of a surface water feature. This is because the most appropriate BMPs will depend upon site-specific conditions at the time of construction, including but not limited to weather conditions, such as the timing and intensity of precipitation events. Furthermore, the additional text shown below explains that the Project-specific Stormwater Pollution Prevention Plan (SWPPP) will identify specific BMPs for the Proposed Project, and Mitigation Measure HYD-1 (Develop Stormwater Pollution Prevention Plan and Implement Best Management Practices) would provide additional specificity to how BMPs and the SWPPP are implemented to ensure that potential adverse effects are minimized or avoided.

As previously noted, the proposed Telecommunications Routes 1 and 2 would traverse Brite Creek and several unnamed streams. Best Management Practices defined in the Project-specific SWPPP would be implemented at these crossings to avoid or minimize any adverse impacts. The SWPPP would be implemented for compliance with the Clean Water Act, and would include a suite of BMPs designed to minimize or avoid erosion and sedimentation, including stormwater runoff quality control measures such as boundary protection, dewatering procedures, and concrete waste management. Those BMPs selected for implementation at any given crossing would be considered for their potential effectiveness given site-specific conditions, including daily weather, during the construction period. Due to the high specificity of geographic and temporal factors that will determine the most appropriate BMP(s) to implement at any given location, specific BMPs are not identified here for each crossing, but rather would be selected by the construction contractor and/or Environmental Monitor during the final engineering phases and adjusted throughout the construction period, as needed. As described below in Mitigation Measure HYD-1, all BMPs will be inspected on a weekly basis, and at least once every 24-hour period during extended storm events in order to ensure effectiveness in avoiding adverse impacts to waters. Furthermore, water quality control measures would be maintained on a regular basis and replaced as necessary.

B-2 See Response to Comment B-1 for the description of surface waters in the Proposed Project area added to Section 5.9.1 (Hydrology and Water Quality, Setting). In addition, Mitigation Measure B-12 (Delineate Jurisdictional Wetlands and Waters) in Section 5.4 (Biological Resources) of the Draft IS/MND requires SCE to conduct a jurisdictional delineation prior to the start of construction to describe the type and extent of waters of the United States, including wetlands, and/or waters of the State within the proposed impact area.

As suggested, the impact analysis has also been expanded to better describe surface waters in the Project area and potential effects of the Project on surface waters, particularly under Checklist items 5.9.a and 5.9.c through 5.9.f. In addition, the discussion under Checklist item 5.9.c has been revised to clarify that it is not anticipated that culverts or any in-water crossing facilities would be necessary, as the telecommunication lines that would traverse Brite Creek and unnamed drainages would be overhead facilities.

a. Would the project violate any water quality standards or waste discharge requirements?

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. The Proposed Project is anticipated to occur in full compliance with all applicable water quality standards and waste discharge requirements. There is potential that soil erosion and sedimentation, and/or the accidental release of hazardous materials such as vehicle fuels, could occur during Project-related soil disturbing activities. Such occurrences could result in direct or indirect water quality degradation, should the materials be allowed to migrate to local surface water or groundwater resources. Given the generally flat and dry nature of the Project site and area, and with the BMPs and project design features to be implemented, it is considered unlikely that such an occurrence would result in the violation of a water quality standard or waste discharge requirement.

As previously noted, the proposed Telecommunications Routes 1 and 2 would traverse Brite Creek and several unnamed streams. Best Management Practices defined in the Project-specific SWPPP would be implemented at these crossings to avoid or minimize any adverse impacts. The SWPPP would, to be implemented for compliance with the Clean Water Act, and would include a suite of BMPs designed to minimize or avoid erosion and sedimentation, including stormwater runoff quality control measures such as boundary protection, dewatering procedures, and concrete waste management. Those BMPs selected for implementation at any given crossing would be considered for their potential effectiveness given site-specific conditions, including daily weather, during the construction period. Due to the high specificity of geographic and temporal factors that will determine the most appropriate BMP(s) to implement at any given location, specific BMPs are not identified here for each crossing, but rather would be selected by the construction contractor and/or Environmental Monitor during the final engineering phases and adjusted throughout the construction period, as needed. As described below in Mitigation Measure HYD-1, all BMPs will be inspected on a weekly basis, and at least once every 24-hour period during extended storm events in order to ensure effectiveness in avoiding adverse impacts to waters. Furthermore, water quality control measures would be maintained on a regular basis and replaced as necessary.

Furthermore, protocols and standards included as part of the Project design would minimize the potential for accidental releases of hazardous materials to occur, thereby minimizing potential for the violation of a water quality standard or waste discharge requirement. Material Safety Data Sheets would be made available at the construction site for all crew workers. The SWPPP would also identify locations for the storage of hazardous materials during construction, as well as protective measures, notifications, and cleanup requirements for any incidental spills or other potential releases of hazardous materials. If contaminated material is encountered during Project excavations, work would stop at that location and SCE's Spill Response Coordinator would be called to the site to make an assessment and notify the proper authorities. In addition, implementation of the Worker Environmental Awareness Program included as part of the Proposed Project, would provide site personnel with instruction on the individual responsibilities under the Clean Water Act, the project-specific SWPPP, and BMPs.

As previously discussed, a Jurisdictional Delineation has not yet been completed for the proposed Project, but will be conducted in compliance with Mitigation Measure B-12 (Delineate Jurisdictional Wetlands and Waters), described in Section 5.4 (Biological Resources). If it is determined that Waters of the State (that are not considered jurisdictional by the USACE) are present in the Project area, the RWQCB would determine whether the Project requires a Waste Discharge Requirement(s) per Section 401 of the Clean Water Act (described above, under “Regulatory Background”). The Proposed Project would occur in full compliance with all applicable water quality permits and waste discharge requirements, including those associated with determinations of the Jurisdictional Delineations.

With consideration to the discussion provided above~~Therefore~~, potential impacts associated with the violation of a water quality standard or waste discharge requirement would be less than significant. Mitigation Measure HYD-1 (Stormwater Pollution Prevention Plan and Best Management Practices) is required to ensure that appropriate BMPs are implemented, and the Project occurs in compliance with water quality permits and waste discharge requirements such that potential impacts would be less than significant.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on or off site?

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. The Project would not alter the course of any stream or river. Implementation of the proposed Project would include localized drainage pattern alterations associated with the installation of permanent features, but sites would be graded such that water would run toward the direction of the natural drainage, and drainage patterns would be designed to prevent ponding and erosive water flows that could damage structure footings. In total, construction of the Proposed Project, including construction yards, would temporarily disturb approximately 34.61 acres and permanently disturb approximately 6.44 acres. As described above, erosion and sedimentation control measures would be implemented via BMPs as part of the required SWPPP.

As described in Section 5.9.1 and under Checklist item 5.9.a, the Proposed Project would traverse Brite Creek and several unnamed ephemeral drainages. Pending final engineering design and localized weather conditions at the time of construction, site-specific BMPs would be identified for implementation at specific crossings. The Project-specific SWPPP would identify a suite of appropriate BMPs, from which the construction contractor and/or Environmental Monitor would select the most appropriate to avoid adverse impacts, including as related to erosion or siltation resulting from drainage pattern alterations. It is not anticipated that culverts or any in-water crossing facilities would be necessary, as the telecommunication lines that would traverse Brite Creek and unnamed drainages would be aboveground. The magnitude of potential impacts to drainage pattern alterations resulting in erosion or siltation would be less than significant with mitigation incorporated, because BMPs specified in Mitigation Measure HYD-1, presented above, would minimize or avoid the potential for erosion and siltation to occur.

~~Therefore, although the Project would result in localized drainage pattern alterations, impacts associated with erosion and siltation on or off site would be less than significant.~~

d. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site?

~~LESS THAN SIGNIFICANT.~~ The proposed Project would not substantially alter existing drainage patterns of the site or area, and would not alter the course of any stream or river. A substantial increase in the rate or amount of surface runoff could occur if a substantial area of new impervious material is introduced, or if existing surface flows are redirected and concentrated such that the rate of flow increases. However, as described under Checklist item 5.9.b for ~~In addition, as described in the analysis of potential~~ impacts to groundwater impacts (item b above)resources, disturbed areas associated with the Proposed Project would be surfaced with permeable materials, and the Project would not substantially alter recharge or runoff patterns in the area. Therefore, because the Project would neither introduce substantial new areas of impervious surfaces nor redirect and concentrate existing surface flows, although the Project would result in localized drainage pattern alterations, associated with the Project impacts associated with ~~would not result in~~ flooding on- or off-site, and impacts would be less than significant.

e. Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems to provide substantial additional sources of polluted runoff?

~~NO IMPACT.~~ There are no existing stormwater drainage systems on or adjacent to the Project site. As described above, the Proposed Project would be designed to maintain existing drainage patterns as much as possible, and potential impacts associated with increased runoff and flooding would be less than significant (as discussed above). Final engineering drawings for grading and drainage at the proposed substation site will be submitted to Kern County for ministerial grading permits and, if required by Kern County ministerial grading or water quality standards, an earthen retention basin may be included in the site plan; features such as curbs/valves, trenches, berms, and retention ponds (if required), or other features/structures designed and installed to contain spills, should they occur, may also be implemented. With these Project features in place, any drainage systems established as part of the Project would be appropriately designed for capacity. Also, potential impacts associated with water quality degradation would be less than significant with the implementation of mitigation measures discussed above. With implementation of the Project design features and BMPs described above, the Proposed Project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, and the Project would not introduce a substantial additional source of polluted runoff. The impact discussions provided above fully characterize potential impacts of the Project associated with increased runoff water and water quality degradation. ~~No additional~~ impact would occur.

f. Would the project otherwise substantially degrade water quality?

NO IMPACT. All potential water quality impacts of the Proposed Project are characterized under the discussions above ~~in items~~for Checklist items 5.9.-a through 5.9.e. This includes potential water quality impacts associated with erosion/sedimentation, hazardous materials, drainage pattern alterations, and stormwater drainage systems. These features capture all potential aspects of the Project that could affect water quality, and n~~n~~No additional impact to water quality would occur as a result of the Proposed Project, ~~and n~~No additional mitigation is required.

Mitigation Measure HYD-1 (Develop Stormwater Pollution Prevention Plan and Implement Best Management Practices) has also been revised, as follows, to add a bullet that requires the establishment of exclusionary buffers as necessary to avoid wetlands and streams where possible. Similar to the Draft IS/MND, the Final IS/MND concludes that potential impacts to surface waters would be less than significant.

- Establishment of exclusionary buffers as necessary to avoid wetlands and streams to the maximum extent feasible;

...This checklist will remain onsite with the SWPPP. Compliance with these requirements will be ensured by the on-site construction contractor.

B-3 As suggested, the analysis of potential impacts to surface waters and the discussion of BMPs have been expanded. In addition, Mitigation Measure HYD-1 (Develop Stormwater Pollution Prevention Plan and Implement Best Management Practices) has been revised to include exclusionary buffers to avoid wetlands and streams. See Responses to Comments B-1 and B-2, which describe these revisions in the Final IS/MND.

B-4 The commenter stated that the groundwater discussion seems sufficient under Checklist item 5.9.b, but stated that the information provided does not allow a conclusion that potential impacts are less than significant for Checklist items 5.9.c through 5.9.f. The impact analyses provided under Checklist items 5.9.c through 5.9.f have been expanded to justify findings of “less than significant.” See Response to Comment B-2. In addition, the significance determination for Checklist item 5.9.c has been changed from “less than significant” to “less than significant with mitigation incorporated” to clarify that specific mitigation-required BMPs would be implemented to avoid or minimize adverse effects associated with drainage pattern alterations that could result in erosion or siltation on- or off-site. The commenter’s contact information is noted.