

Email: SCE Ivanpah Control

From: Luque, Jairo@Waterboards <Jairo.Luque@Waterboards.ca.gov>
Sent: Friday, May 15, 2026 4:49 PM
To: Ivanpah-Control Project Team
Cc: Talmadge, Bryan@Waterboards
Subject: SCE Ivanpah-Control Project
Attachments: Water Board Comments on SCE Ivanpah Control Project 05-15-2026.pdf

Hi John,

Attached are the Lahontan Water Board's comments on the Draft EIR for the Ivanpah Control Project.

Please contact me directly for any questions.

Thank you,
Jairo



Jairo Luque-Villanueva, PE

Water Resource Control Engineer

LAHONTAN REGIONAL BOARD – REGION 6
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Lahontan Regional Water Quality Control Board

May 15, 2026

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Comments on the Draft Environmental Impact Report for the Proposed SCE Ivanpah Control Project, Inyo, Kern and San Bernardino Counties

The Lahontan Regional Water Quality Control Board (Water Board) staff have reviewed the Draft Environmental Impact Report (DEIR) for the Ivanpah Control Project (Project). The DEIR was prepared by the California Public Utilities Commission in compliance with the California Environmental Quality Act (CEQA). Water Board staff, acting as a responsible agency, is providing these comments to specify the scope and content of environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations, title 14, section 15096.

PROJECT DESCRIPTION

The Ivanpah Control Project is a utility infrastructure project proposed by Southern California Edison consisting of improvements and upgrades to an approximately 262-mile electrical transmission corridor extending through portions of Inyo, Kern, and San Bernardino Counties, including areas within the Lahontan Region. Project activities include transmission line upgrades, structure replacement, access road improvements, temporary work areas, staging areas, and associated construction activities. The Project corridor traverses numerous desert watersheds and may intersect ephemeral drainages, washes, and other waters of the state.

POTENTIAL PROJECT IMPACTS

The draft EIR discloses that potentially significant impacts may occur to several environmental resource areas within Water Board jurisdiction as a responsible agency under CEQA, including hydrology and water quality, biological resources, hazardous materials, and cumulative environmental impacts. Hydrologic features identified within the Project corridor include portions of the Owens River and Mojave River watersheds,

JEFF LOUX, CHAIR | BEN LETTON, EXECUTIVE OFFICER

as well as ephemeral drainages, desert washes, and other aquatic resources that may be regulated as waters of the state or waters of the United States.

The Project would require grading, excavation, structure replacement, access road improvements, temporary work areas, staging areas, and vehicle and equipment operation associated with transmission infrastructure upgrades. These activities have the potential to adversely affect water quality and beneficial uses through erosion, sediment discharge, stormwater runoff, vegetation disturbance adjacent to aquatic features, and accidental spills or releases of hazardous materials. Given the approximately 262-mile length of the Project corridor and repeated construction activities across multiple watersheds, even temporary or localized disturbances may result in cumulative impacts to aquatic resources and downstream water quality.

WATER BOARD AUTHORITY

All groundwater and surface waters are considered waters of the state. All waters of the state are protected under California law. State law assigns responsibility for protection of water quality in the Lahontan Region to the Water Board. Some waters of the state are also waters of the U.S. The Federal Clean Water Act (CWA) provides additional protection for those waters of the state that are also waters of the U.S.

The Water Quality Control Plan for the Lahontan Region (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect the quality of waters of the State within the Lahontan Region. The Basin Plan sets forth water quality standards for surface water and groundwater of the Region, which include designated beneficial uses as well as narrative and numerical objectives which must be maintained or attained to protect those uses. The Basin Plan can be accessed via the Water Board's website at: [Basin Plan - References | Lahontan Regional Water Quality Control Board](#)

Section 13243 of the California Water Code gives Regional Boards, in Basin Plans or waste discharge requirements, authority to "specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted.

PERMITS REQUIRED

The following Water Board permits apply to the following activities:

- Clean Water Act Section 401 Water Quality Certification for impacts to federal waters (waters of the U.S.), or dredge and fill WDR for impacts to waters of the state, both issued by the Water Board.
- The NPDES stormwater program regulates stormwater discharges from construction activities that **disturb one or more acres of soil**, or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the [NPDES General Permit for Discharges of Storm Water Associated with Construction Activity, Order 2022-0057-DWQ](#). Construction activity subject to this permit includes demolition, clearing, grading and disturbances to the ground such as staging areas, stockpiling or excavation. A completed application should be submitted through the State Water Board's Storm Water Multi-Application and Report Tracking System (SMARTS) at: <https://smarts.waterboards.ca.gov>.
- *NPDES General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems, WQ 2013-0001-DWQ as amended by Order WQ 2015-0133-EXEC, Order WQ 2016-0069-EXEC, Order WQ 2017-0031-DWQ, Order WQ 2018-0001-EXEC, Order WQ 2018-0007-EXEC, and Order WQ 2019-009-EXEC (MS4s)* for municipal stormwater discharges.
- Vegetation removal associated with the Project may require coverage under the Water Board's *Conditional Waiver of Waste Discharge Requirements for Waste Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region* (Timber Waiver). The Timber Waiver sets out categorical criteria and conditions to protect water quality during timber harvest activities. The Timber Waiver is available at: https://www.waterboards.ca.gov/lahontan/water_issues/programs/waste_discharge_requirements/timber_harvest/timberwaiver.html.
If the Project involves vegetation removal activities which do not fit into the categorical criteria or meet the conditions of the Timber Waiver, an individual waste discharge permit may be required.

OTHER CONCERNS

Hydrology and Water Quality

The DEIR does not clearly quantify temporary and permanent impacts to waters of the state and other aquatic resources within the Lahontan Region associated with Project construction activities, including access road improvements, structure replacement, temporary work areas, and staging areas. While the DEIR identifies avoidance and minimization measures, the extent of direct disturbance to aquatic resources by activity type is not clearly disclosed. Given that the Project corridor traverses multiple watersheds and numerous aquatic features, the Final EIR should provide sufficient detail regarding the basis for impact determinations related to aquatic resource disturbance and water quality effects. This information is necessary to adequately evaluate potential impacts to water quality and beneficial uses.

Erosion and Sediment Control

The Project corridor traverses numerous ephemeral drainages and desert washes that may be subject to temporary disturbance during construction. The Final EIR should provide additional detail regarding construction methods within or adjacent to these features, including access crossings, equipment travel, excavation, and restoration methods. Additional clarification is warranted regarding how erosion, sediment transport, channel disturbance, and post-construction stabilization will be managed to protect downstream waters and beneficial uses.

Cumulative Impacts

Given the approximately 262-mile Project corridor and repeated construction activities across multiple watersheds, the cumulative impacts analysis should more clearly evaluate the aggregate effects of repeated disturbance to aquatic resources, erosion, sediment discharge, and stormwater runoff. While individual impacts may be temporary or localized, the cumulative effect of repeated disturbance across the full Project corridor warrants additional evaluation.

Thank you for the opportunity to provide comments on the project. Please contact me, Jairo Luque-Villanueva, Water Resource Control Engineer, at (530) 542-5447 (Jairo.luque@waterboards.ca.gov) if you have any questions regarding this letter.



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