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## Colorado River Basin Regional Water Quality Control Board

Certified Mail: **7021 1970 0002 0497 7169**

June 4, 2024

SFPP L.P.  
Meghan Dina  
1667 Cole Blvd., Suite 300  
Lakewood, CO 80401

**SUBJECT: NOTICE OF APPLICABILITY FOR COVERAGE UNDER 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, LS-111 WHITEWATER RIVER WASHOUT REPAIR PROJECT (WDID NO. 7A333284001), RIVERSIDE COUNTY**

Dear Meghan Dina,

On March 22, 2024, SFPP L.P. (SFPP or Discharger) submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) 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*.

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) has reviewed your enrollment materials and finds that the dredge/fill discharges associated with the LS-111 Whitewater River Washout Repair (Project) meets the requirements for enrollment. You are hereby enrolled under Order No. 2004-0004-DWQ and may proceed with the Project in accordance with the Order.

A copy of [Order 2004-0004-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) ([https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)) is attached and it can be found on the State Water Board's Adopted Orders webpage.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. You are responsible for complying with all applicable Order requirements. Failure to comply with Order No. 2004-0004-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

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PETER SATIN, CHAIR | PAULA RASMUSSEN, EXECUTIVE OFFICER

### **PROJECT DESCRIPTION, IMPACTS, AND MITIGATION**

The Project is the repair of two sections of Line Section 111 (LS-111), a gas pipeline, within overflow channels of the Whitewater River that have been exposed due to scouring flows from storm events in the Summer of 2023. Those pipe sections are to be relocated beneath the ephemeral drainages and exposed sections are to be removed. To relocate the two exposed sections, SFPP will implement jack and bore methods to install a new section of pipe in this location in a manner that will minimize environmental impacts and avoid jurisdictional waters to the maximum extent feasible.

The Project will result in 0.022 acres (72 linear feet) of temporary impacts to waters of the state. No permanent impacts are anticipated. Work is scheduled to begin sometime between May 2024 and be completed in July 2024. When the Project work is complete, any temporarily impacted areas will be returned to pre-Project conditions.

### **PROJECT LOCATION**

The Project is located near the City of Palm Springs, in Riverside County, California, 92262. The latitude and longitude of the impacted area is listed below. Maps showing the Project location are found in Attachment A of this Order.

<b>Site</b>	<b>Latitude</b>	<b>Longitude</b>	<b>Temporary Impacts (acres/linear feet)</b>
LS-111	33.9086°N	-116.6359°W	0.022/72

### **FEES RECEIVED**

A check in the amount of \$2,985 was received on April 25, 2024, for payment of the application fee. No project fee is due. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3) and were calculated as Category E – Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The Colorado River Basin Water Board has determined that the enrollment of this Project under Order 2004-0004-DWQ, which prescribes waste discharge requirements for the Project, is categorically exempt from the procedural requirements of the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq. Specifically, the issuance of this Order and the Project described herein meet the criteria for a Class 1 exemption (§ 15301, Existing Facilities) under the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). Pursuant to CEQA, the Colorado River Basin Water Board has made Findings of Facts (Findings) which support the issuance of this Order and they are included in Attachment B.

## **AVOIDANCE AND MINIMIZATION MEASURES**

The Discharger must implement the measures identified in Attachment F Restoration Plan submitted with the Project application, as well as comply with all applicable requirements in Order No. 2004-0004-DWQ.

## **TERMINATION OF COVERAGE**

Upon completion of the Project, SFPP shall submit a complete Notice of Termination (NOT) requesting to be unenrolled under Order No. 2004-0004-DWQ. Attachment 2 to Order No. 2004-0004-DWQ contains the NOT form.

If you have questions concerning this matter, please contact Logan Raub, 401 Water Quality Certification Program Manager, at (760) 776-8966 or at [Logan.Raub@waterboards.ca.gov](mailto:Logan.Raub@waterboards.ca.gov).

Sincerely,

*Original Signed By* \_\_\_\_\_

Paula Rasmussen  
Executive Officer  
Colorado River Basin  
Regional Water Quality Control Board

Enclosures: 1) Attachment A Project Maps  
2) Attachment B CEQA Findings  
3) Order No. 2004-0004-DWQ

LR/

File: WDID: 7A333284001, RM: 456443, Place ID: 894279, LS-111 Whitewater River Washout Repair Project, Order 2004-0004-DWQ

SFPP L.P.  
LS-111 Whitewater River Washout Repair Project

WDID: 7A333284001  
Reg. Meas. ID: 456443  
Place ID: 894279

cc: [via email only] (with enclosures):

Riverside County Department of Environmental Health: [mmistica@rivco.org](mailto:mmistica@rivco.org)

Riverside County Planning Department: [planning@rivco.org](mailto:planning@rivco.org)

Riverside County Flood Control and Water Conservation District: [romustaf@rivco.org](mailto:romustaf@rivco.org)

U.S. Bureau of Land Management: [BLM\\_CA\\_Web\\_PS@blm.gov](mailto:BLM_CA_Web_PS@blm.gov)

USEPA Region IX 401 Program: [R9cwa401@epa.gov](mailto:R9cwa401@epa.gov)

U.S. Fish and Wildlife Service: [felicia\\_serchia@fws.gov](mailto:felicia_serchia@fws.gov)

CA Department of Fish and Wildlife Region 6: [Heather.Brashear@wildlife.ca.gov](mailto:Heather.Brashear@wildlife.ca.gov)

DDW, State Water Resources Control Board: [Chun.Huang@waterboards.ca.gov](mailto:Chun.Huang@waterboards.ca.gov)

CA Department of Toxic Substances: [Katie.Butler@dtsc.ca.gov](mailto:Katie.Butler@dtsc.ca.gov)

CA Department of Transportation – District 8: [john.chisholm@dot.ca.gov](mailto:john.chisholm@dot.ca.gov)

CA Department of Water Resources: [bob.pierotti@water.ca.gov](mailto:bob.pierotti@water.ca.gov)

401 Program, DWQ, State Water Resources Control Board:

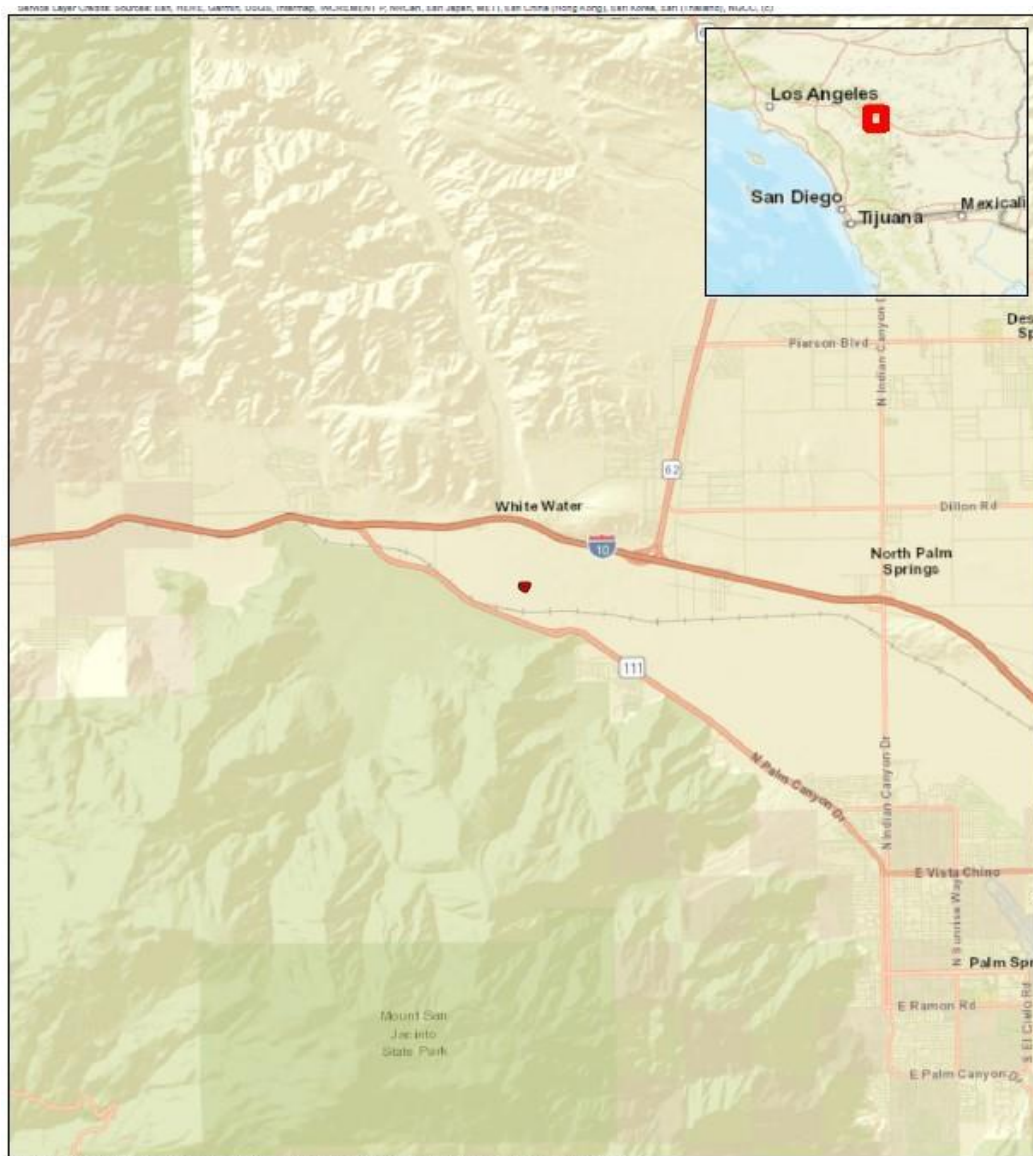
[StateBoard401@waterboards.ca.gov](mailto:StateBoard401@waterboards.ca.gov)

CA Department of Resources Recycling & Recovery:


[WPCMDivision@Calrecycle.ca.gov](mailto:WPCMDivision@Calrecycle.ca.gov)


Coachella Valley Association of Governments: [cvag@cvag.org](mailto:cvag@cvag.org)

## Attachment A Project Maps



**wood.**

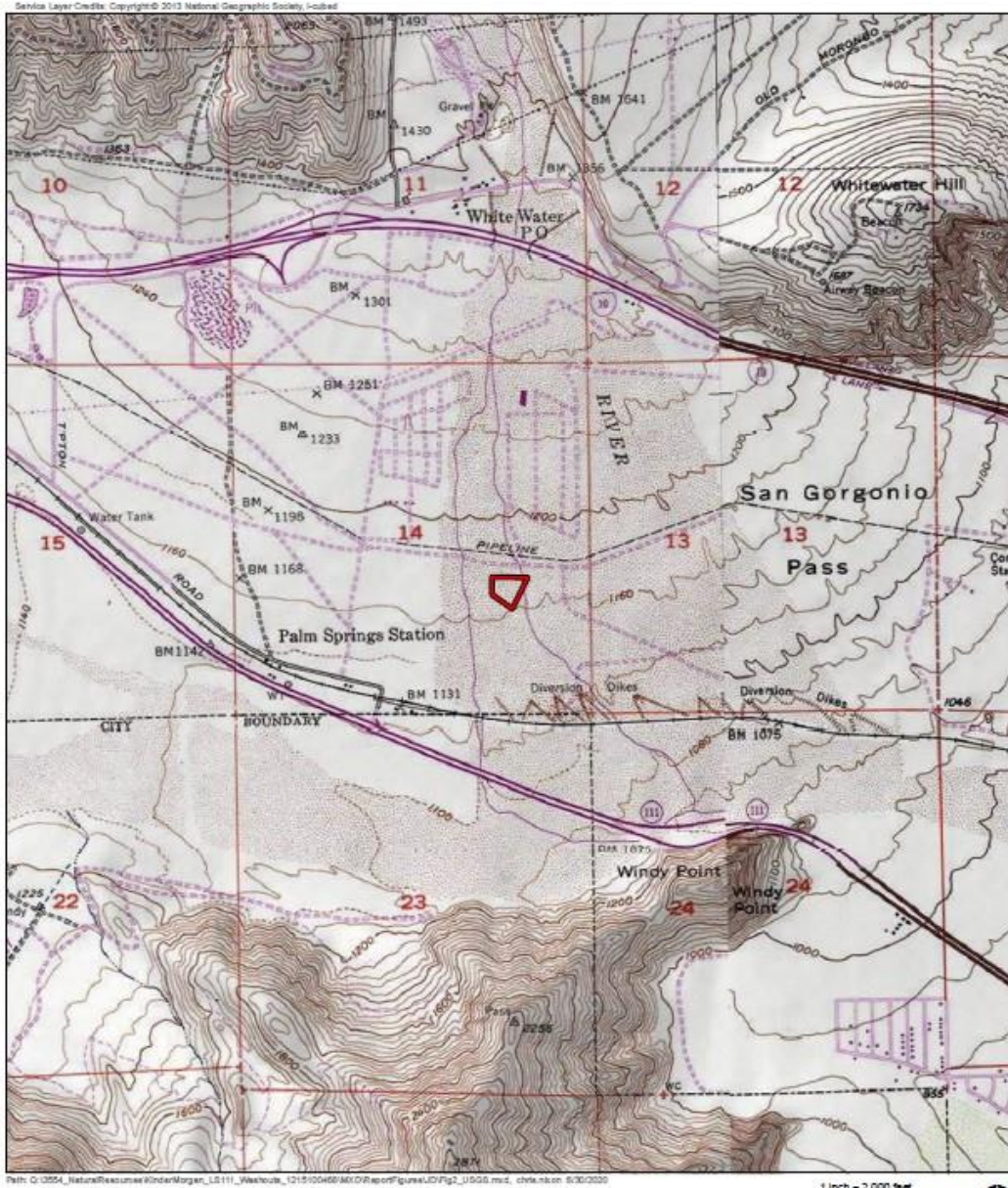
 Survey Area


1 inch = 2 miles  
0 1 2 Miles 

**FIGURE 1**  
Regional Location  
Jurisdictional Delineation  
SFPP LS 111 Washout  
Riverside County, CA.

(SFPP L.P., 2024)<sup>1</sup>

<sup>1</sup> SFPP L.P., 2024. Dredged or Fill Waste Discharge Requirements Application. Figures taken from submitted Application material or provided by the Discharger.



 Survey Area

**FIGURE 2**  
Project Location on USGS Topo  
Jurisdictional Delineation  
SFPP LS 111 Washout  
Riverside County, CA.







## **Attachment B CEQA Findings**

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### **A. Introduction**

The Colorado River Basin Water Board has determined that the Project is exempt from review under CEQA pursuant to California Code of Regulations, title 14, section 15061. Specifically, the issuance of this Order and the Project described herein meet the exemptions criteria under California Code of Regulations, title 14, section 15301 (Existing Facilities).

### **B. Findings**

Under title 14, section 15301 of the California Code of Regulations, there is a "Class 1" categorical exemption where the proposed project "consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination" such as "(b) [e]xisting facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services."

The Project falls within the exemption per section 15301 (Existing Facilities), because the Project involves the repair/maintenance of an existing gas pipeline. The Project will not result in an expansion of use. No exceptions to the exemption were identified.

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### **C. Determination**

The issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations, title 14, section 15301 (Existing Facilities). The Colorado River Basin Water Board concludes that no exceptions to the CEQA exemption listed above apply to the activities approved by this Order.

The Colorado River Basin Water Board will file a Notice of Exemption with the State Clearinghouse within five (5) working days from the issuance of this Order. (Cal. Code Regs., tit. 14, § 15062.).

SFPP L.P.  
LS-111 Whitewater River Washout Repair Project

WDID: 7A333284001  
Reg. Meas. ID: 456443  
Place ID: 894279

**Order No. 2004-0004-DWQ**

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A copy of Order No. 2004-004-DWQ can be found at:  
[www.waterboards.ca.gov/water\\_issues/programs/cwa401/generalorders.html](http://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html)