
Central Valley Regional Water Quality Control Board

18 October 2019

Mr. Christopher Penza, Project Manager
Chevron Environmental Management Company
1546 China Grade Loop, L14
Bakersfield, CA 93308-9700

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY, KERN RIVER RIVERBANK EMERGENCY REPAIR TO SUPPORT WATER WELL PLUGGING AND ABANDONMENT PROJECT (WDID 5C15CR00107), KERN COUNTY

On 16 October 2019, Chevron Environmental Management Company (Applicant) filed a notification requesting coverage under the 9 October 2018 State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification of the United States Army Corps of Engineers (USACE) Regional General Permit 8 (General Certification Order) for the Kern River Riverbank Emergency Repair to Support Water Well Plugging and Abandonment (Project). After review of the notification and the supplemental material submitted by the Applicant, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the Project qualifies for enrollment under this General Certification Order.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Regional General Permit 8, Emergency Repair and Protection Activities, subject to the conditions and the notification requirements described in the Nationwide Permit ("Special Conditions"). This Notice of Applicability is being issued under the General Certification Order pursuant to Section 3838 of the California Code of Regulations.

A copy of the [General Certification Order](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/rgp8_cert.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/rgp8_cert.pdf) can be found on the State Water Resources Control Board's General Orders webpage.

The Project must proceed in accordance with the requirements contained in this Notice of Applicability and General Certification Order. The Project is described in the notification form requesting coverage under the General Certification Order, dated 16 October 2019, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.

PROJECT DESCRIPTION:

The Project consists of 1) reinforcing one eroded area along the north bank of the Kern River where erosion has occurred, and 2) plugging and abandoning the water well for long-term protection of local groundwater resources. Continued releases of water from Lake Isabella Dam, due to the dam remediation project, are causing erosion, and this portion of the bank may continue to fail without mitigation.

The bank reinforcement will be completed by armoring the riverbank segment with ungrouted rock rip-rap of variable sizing to ensure proper stability. All heavy equipment work will be positioned above or behind the ordinary high-water mark, but at a location that allows for the equipment to safely reach into the river to accomplish the riverbank reinforcement.

The riverbank reinforcement will also include a bioengineering component by planting willow (*Salix* sp.) and mulefat (*Baccharis salicifolia*) pole cuttings on 10 to 15-foot centers on a contour located approximately two (2) feet above the existing water line.

The Project will permanently impact 0.064 acre/140 linear feet and temporarily impact 0.096 acre/140 linear feet of waters of the United States.

PROJECT LOCATION:

The Project is located on the north bank of the Kern River approximately 5.75 miles northeast of the center of the City of Bakersfield.

Section 2, Township 29 South, Range 28 East, MDB&M

Latitude: 35.432875° and Longitude: -118.949323°

PROJECT SCHEDULE:

The approximate timeframe of Project construction is one month, beginning as soon as possible.

APPLICATION FEE RECEIVED:

An application fee of \$ 1,638 was received on 18 October 2019.

The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category G - Emergency Projects authorized by a Water Board General Order (fee code 85) with the dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Debra Mahnke at (559) 445-6281 or Debra.Mahnke@waterboards.ca.gov.

Original signed by Clay L. Rodgers for

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