



Central Valley Regional Water Quality Control Board

22 September 2020

David Thompson
Aquamarine Westside LLC
4700 Wilshire Blvd.
Los Angeles, CA 90010

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, WESTLANDS AQUAMARINE SOLAR PROJECT (WDID#5C16CR00021), KINGS COUNTY

On 21 August 2020, Aquamarine Westside LLC (Applicant) 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 United States Army Corps of Engineers to be Outside of Federal Jurisdiction.

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the enrollment materials and finds the Westlands Aquamarine Solar Project (Project) meets the requirements of, and is hereby enrolled under, Order No. 2004-0004-DWQ. The Applicant 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) can be found on the State Water Resources Control Board's Adopted Orders webpage.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. The Applicant is 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.

PROJECT DESCRIPTION:

The 1,825-acre Project consists of installation of a solar panel array and related equipment and facilities.

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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Project elements that affect aquatic resources include widening an existing dirt road crossing over an agricultural irrigation canal which will permanently affect waters of the state. The Project will permanently impact 0.01 acre/25 linear feet of stream channel.

PROJECT LOCATION:

The Project is located at the intersection of Laurel Avenue and the 25th Avenue Alignment southwest of Lemoore, CA. The approximate center of the Project area is located at latitude 36.18898° North and longitude -119.90526° West.

PROJECT SCHEDULE:

Construction of the canal crossing is scheduled to begin 1 October 2020 and expected to be completed by 31 December 2021.

APPLICATION FEE RECEIVED:

A fee of \$1,949.00 was received on 21 August 2020.

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 E - Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

MITIGATION AND MINIMIZATION MEASURES:

The Permittee is required to provide compensatory mitigation for the authorized impact to 0.01 acre of stream channel by purchasing 0.01 Aquatic Resource Credits in the Kings River Aquatic Resource Watershed Service Area. Required credits shall be purchased from the National Fish and Wildlife Foundation (NFWF)'s Sacramento District California In-Lieu Fee Program.

ADDITIONAL CONDITIONS:

A storm water pollution and prevention plan shall be implemented during construction of the canal crossing.

TERMINATION OF COVERAGE:

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

If you have questions concerning this matter, please contact Brandon Salazar by phone at (559) 445-6278 or by email at brandon.salazar@waterboards.ca.gov

Original Signed by Clay L. Rodgers for:
Patrick Pulupa
Executive Officer

cc: see next page

cc: (electronic copy only)

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