
Central Valley Regional Water Quality Control Board

27 June 2023

Alejandro Bedolla
Kern County Public Works Dept.
2700 M Street, Suite 400
Bakersfield, CA 93301

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE KERN COUNTY PUBLIC WORKS DEPT., ROUND MOUNTAIN ROAD EMERGENCY PROJECT (WDID# 5C15CR00137), KERN COUNTY

On 7 June 2023, Kern County Public Works Dept. (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 Round Mountain Road Emergency (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 proposed activity is taking place within 0.02 acre/ 960 linear feet of waters of the United States.

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 is being conducted 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 7 June 2023, 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 Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.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 0.24-acre Project consists of reinforcing eroded portions of the Kern River banks to stabilize the banks from further erosion. UngROUTED rock slope protection (RSP) of variable sizes place (from 12-inch-minus to 36-inch-minus boulders) will be placed into the Kern River for slope protection. No asphalt or concrete materials will be used. Approximately 415 cubic yards of RSP have been added to the repair as part of an emergency action to protect the roadway adjacent to the Kern River. Kern County plans to add a total of 952 cubic yards (800 US Tons) of RSP to stabilize the bank. The repair area is anticipated to impact approximately 0.02 acre of stream channel below the ordinary highwater mark (OHWM). Vegetation removal will only be done to provide visibility to the operators placing the RSP and to allow the operators to observe the limits of the bank without further compromising the eroded bank. Vegetation clearing will only occur when necessary and riparian trees and shrubs will be conserved to the fullest extent feasible. Laydown/staging areas will be located on existing disturbed areas that are currently void of vegetation and outside of the Kern River OHWM.

The Project will permanently impact 0.02 acre/ 960 linear feet of waters of the United States.

PROJECT LOCATION:

The Project is located at Round Mountain Table Road along the Kern River, east of the City of Bakersfield.

Latitude: 35.450218 Degrees North and Longitude: -118.918233 Degrees West

PROJECT SCHEDULE:

The Project started construction on 26 April 2023 and was completed on 9 June 2023.

APPLICATION FEE RECEIVED:

An application fee of \$ 2,734.00 was received on 9 June 2023. 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 F - 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 Brandon Salazar at (559) 445-6287 or at Brandon.Salazar@waterboards.ca.gov.



for

Patrick Pulupa
Executive Officer

cc (via email only): see next page

Kern County Public Works Dept.
Round Mountain Road Emergency

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cc: U.S. Environmental Protection Agency
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