

---

## Central Valley Regional Water Quality Control Board

19 May 2023

Steven Salazar  
Chevron USA, Inc  
1546 China Grade Loop H-13  
Bakersfield, CA 93308

### **NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE CHEVRON USA, INC., AREAS 1 - 5 KERN RIVERBANK REPAIRS PROJECT (WDID#5C15CR00134), KERN COUNTY**

On 8 May 2023, the Chevron USA, Inc. (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 Areas 1 - 5 Kern Riverbank Repairs (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 will take place within 0.17 acres/480 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](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 4 May 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 Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.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 0.26-acre Project consists of efforts to prevent further erosion along the riverbanks within the Kern River Oil Field. Chevron plans to reinforce eroded portions of the banks. Reinforcement would be accomplished by installing ungrouted rock rip-rap of variable sizes to provide proper stability and locking-in-place (from 12-inch-minus to 36-inch-minus boulders). No asphalt or concrete materials will be used. The repairs for Areas 1 and 2 have been completed following verbal authorization on 25 April 2023 from Ms. Kathy Norton (USACE Sacramento District Engineer). To date, approximately 180 cubic yards (150 US Tons) of rock rip-rap have been added to Area 1 and approximately 215 cubic yards (180 US Tons) of rock rip-rap have been placed on the bank. Additionally, two portions of Area 2 (2A and 2B) have been repaired with rip-rap as well. Approximately 120 cubic yards (100 US Tons) have been added to Area 2A and approximately 95 cubic yards (80 US Tons) have been added to Area 2B. Areas 3, 4, and 5 also require armoring of the bank spanning collectively around 310 feet where the bank has significantly eroded adjacent to wells, pipelines, roads, and other infrastructure. The Project will permanently impact 0.17 acres/480 linear feet of waters of the United States.

Additionally, the Applicant identified several other potential repair areas beyond Areas 1 – 5 which are also reportedly experiencing significant erosion but not yet determined in need of emergency repairs. The Applicant anticipates these other potential repair areas may worsen if water levels within the Kern River continue to rise. Currently, no repairs have commenced on these areas, but the Discharger is monitoring conditions on a daily basis. The Central Valley Water Board expects the Discharger to provide further details (e.g., precise locations and the extent of the repairs) if repairs are deemed necessary for these other potential repair areas.

**PROJECT LOCATION:**

The Project is located approximately 6.5 miles northeast of Bakersfield in Section 9, Township 29 South, Range 28 East, MDB&M.

**Area 1**

Latitude: 35.426072 degrees North and Longitude: 118.968479 degrees West

**Area 2**

Latitude: 35.42349 degrees North and Longitude: -118.975402 degrees West

**Area 3**

Latitude: 35.425904 degrees North and Longitude: -118.972216 degrees West

**Area 4**

Latitude: 35.425431 degrees North and Longitude: -118.969866 degrees West

**Area 5**

Latitude: 35.423441 degrees North and Longitude: -118.974357 degrees West

**PROJECT SCHEDULE:**

The Applicant proposes to complete the project within an approximate timeframe of May 2023 through November 2023.

**APPLICATION FEE RECEIVED:**

An application fee of \$ 2,734.00 was received on 8 May 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 Ernesto P. Garcia at (559) 445-6281 or at [Ernesto.Garcia@waterboards.ca.gov](mailto:Ernesto.Garcia@waterboards.ca.gov).

*Original Signed by Scott J. Hatton for:*  
Patrick Pulupa  
Executive Officer

cc: U.S. Environmental Protection Agency (Electronic Copy Only)  
Region 9  
[R9cwa401@epa.gov](mailto:R9cwa401@epa.gov)

United States Army Corps of Engineers (Electronic Copy Only)  
Sacramento District Headquarters  
[SPKRegulatoryMailbox@usace.army.mil](mailto:SPKRegulatoryMailbox@usace.army.mil)

Patricia Cole (Electronic Copy Only)  
United States Fish & Wildlife Service  
[patricia\\_cole@fws.gov](mailto:patricia_cole@fws.gov)

Department of Fish and Wildlife (Electronic Copy Only)  
Region 4  
[R4LSA@wildlife.ca.gov](mailto:R4LSA@wildlife.ca.gov)

CWA Section 401 WQC Program (Electronic Copy Only)  
Division of Water Quality  
State Water Resources Control Board  
[Stateboard401@waterboards.ca.gov](mailto:Stateboard401@waterboards.ca.gov)

Steven Salazar  
Chevron USA, Inc  
[Steven.Salazar@chevron.com](mailto:Steven.Salazar@chevron.com)

Angel D. Correa  
Padre Associates, Inc  
[acorrea@padreinc.com](mailto:acorrea@padreinc.com)