
Central Valley Regional Water Quality Control Board

3 July 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 9, 11, & 16 KERN RIVERBANK REPAIRS PROJECT (WDID#5C15CR00138), KERN COUNTY

On 22 June 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 9, 11, and 16 Kern Riverbank Repairs Project (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 in 0.034 acres/245 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 must be 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 22 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 Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.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 0.034-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. by installing ungrouted rock riprap of varying 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.

- Repairs for Area 9 include impacts of 125 linear feet (0.02 acreage) with the use of 180 - 235 cubic yards of ungrouted rock (or 150 – 200 tons).
- Repairs for Area 11 include impacts of 80 linear feet (0.02 acreage) with the use of 180 - 200 cubic yards of ungrouted rock (or 100 tons).
- Repairs for Area 16 include impacts of 40 linear feet (0.02 acreage) with the use of 95 cubic yards of ungrouted rock (or 80 tons).

Final amounts of riprap may vary depending on the current depths of the river. The Project will permanently impact 0.034 acres/245 linear feet of waters of the United States.

Additionally, the Applicant identified other potential repair areas beyond Areas 9, 11, and 16 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 9

Latitude: 35.421205 degrees North and Longitude: -118.975561 degrees West

Area 11

Latitude: 35.425082 degrees North and Longitude: -118.964681 degrees West

Area 16

Latitude: 35.432880 degrees North and Longitude: -118.948699 degrees West

PROJECT SCHEDULE:

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

APPLICATION FEE RECEIVED:

An application fee of \$2,734.00 was received on 22 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 Ernesto Garcia at (559) 445-6281 or Ernesto.Garcia@waterboards.ca.gov.

Original Signed by Scott J. Hatton for:

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Executive Officer

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