
Central Valley Regional Water Quality Control Board

27 April 2020

Fernando Santillan
City of Avenal
919 Skyline Blvd.
Avenal, CA 93204

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, WATER TRANSMISSION LINE REPLACEMENT PROJECT (WDID#5C16CR00019), KINGS COUNTY

On 27 February 2020, the City of Avenal (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 Water Transmission Pipeline Replacement 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.

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 48-acre Project consists of replacement of an existing 18-inch pipeline with a new 18-inch pipeline. Project elements that affect aquatic resources include trenching through four ephemeral drainages. The Project will temporarily impact 0.04 acre(s)/396 linear feet. Temporarily impacted areas will be restored to pre-Project condition.

PROJECT LOCATION:

The Project is located north of the city of Avenal, east of State Route 269, between Interstate 5 and Skyline Road. The approximate center of the Project area is located at latitude 36.0411° and longitude -120.0108°.

PROJECT SCHEDULE:

Proposed start date: July 2020. Construction will take approximately 6 to 8 months.

APPLICATION FEE RECEIVED:

A fee of \$1,949 was received on 11 March 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.

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. Please email the NOT form to centralvalleyfresno@waterboards.ca.gov and copy Debra Mahnke.

If you have questions concerning this matter, please contact Debra Mahnke by phone at (559) 445-6281 or by email at Debra.Mahnke@waterboards.ca.gov.

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

cc: Sam Ziegler (Electronic Copy Only)
U.S. Environmental Protection Agency, Region 9
Ziegler.Sam@epa.gov

Kate Dadey (Electronic Copy Only)
United States Army Corps of Engineers
Sacramento District Headquarters
SPKRegulatoryMailbox@usace.army.mil

Julie Vance, Regional Manager (Electronic Copy Only)
San Joaquin Valley-Southern Sierra Region
Department of Fish and Wildlife, Region 4
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

Kirsten Bates (Electronic Copy Only)
Rincon Consultants, Inc.
kbates@rinconconsultants.com