



Colorado River Basin Regional Water Quality Control Board

Certified Mail:7021 1970 0002 0497 9439

April 11, 2023

Jim Turner
Hell's Kitchen Geothermal, LLC
124 West 9th Street, Suite 101
Imperial, CA 92251
Jim.Turner@cthermal.com

Dear Mr. Turner:

**NOTICE OF APPLICABILITY: STATE WATER RESOURCES CONTROL BOARD
CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION,
SB17001GN, OF THE 2017 NATIONWIDE PERMITS (NWP NO. 6) FOR HELL'S
KITCHEN GEOTECHNICAL INVESTIGATION PROJECT (PROJECT), IMPERIAL
COUNTY, WDID NO. 7A133177001**

This letter is to certify activities required to conduct exploratory geotechnical investigations and other geophysical surveys at the Hell's Kitchen Geotechnical Investigation Project site in Imperial County under the State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification of 2017 Nationwide Permits, SB17001GN.

PROJECT DESCRIPTION

The proposed project is located within the Hell's Kitchen Geothermal (HKG) Lease Area in Imperial County and can be found on the Niland, California U.S. Geological Survey 7.5 Minute Quadrangle in Sections 11 and 12, Township 11 South, Range 12 East (Figure 1). The site is located along the southeastern shore of the Salton Sea. Accessor Parcel Numbers for the site are 020-010-012 and 020-010-013. Survey work would occur west of Davis Road between Noffsinger Road and Pound Road (Figures 2 and 3).

The project proposes to conduct exploratory geotechnical investigations and other geophysical surveys that would support the design and construction of a geothermal powerplant and lithium facility. The geotechnical survey work would include a combination of geophysical surveys, cone penetrometer testing (CPT), and traditional

EDWARD MUZIK, CHAIR | PAULA RASMUSSEN, EXECUTIVE OFFICER

test boring. The survey area is located at latitude 33.22677715° N and longitude - 115.58063835° W.

The geotechnical survey work will result in 0.000621 acres of temporary impacts to aquatic resources (Figure 4). These temporary impacts will occur on 0.000445 acres of palustrine emergent wetlands, 0.0000717 acre to palustrine scrub wetlands, and 0.000104 acre to palustrine open water. Bore holes are the only survey activity expected to generate spoils and would yield approximately 1.25 cubic yards of spoils each. The total temporary impact from the boreholes is estimated to be 34 cubic yards.

All impacts associated with geotechnical work are temporary and the area impacted would be restored to pre-survey conditions upon completion of the work. Mitigation measures include avoiding and minimizing impacts to wetlands and waters through the selection of survey locations, best management practices (BMPs), and restoration of temporary impacts.

FINDINGS OF APPLICABILITY

This letter serves as formal notice that Certification No. SB17001GN is applicable to this project. The project waste discharge identification (WDID) number is 7A133177001.

REPORTING

A Notice of Completion (NOC) shall be submitted by the applicant no later than 30 days after the work has been completed. The NOC shall demonstrate that the work has been carried out in accordance with the description provided in the applicant's Notice of Intent (NOI).

Failure to comply with the terms and conditions of Certification No. SB17001GN may expose Hell's Kitchen Geothermal, LLC to enforcement action pursuant to the Clean Water Act and California Water Code.

If you require further assistance, please contact Kai Dunn by phone at (760) 776-8986 or via email at Kai.Dunn@waterboards.ca.gov

Sincerely,

Original Signed By _____

Paula Rasmussen
Executive Officer
Colorado River Basin
Regional Water Quality Control Board

Attachments:

- Figure 1: Regional Site Vicinity Map
- Figure 2: Geotechnical Survey Locations (North)
- Figure 3: Geotechnical Survey Locations (South)
- Figure 4: Geotechnical Survey Locations, Impacts to Aquatic Resources

Enclosure: State Water Resource Control Board General Clean Water Act 401 Water Quality Certification Order of U.S. Army Corps of Engineers 2017 Nationwide Permits (SB17001GN)

File: W DID: 7A133177001, RM: 451597, Place ID: 886595, Hell's Kitchen Geotechnical Investigation Project

cc: [via email only] (w/ enclosure):

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Project Maps

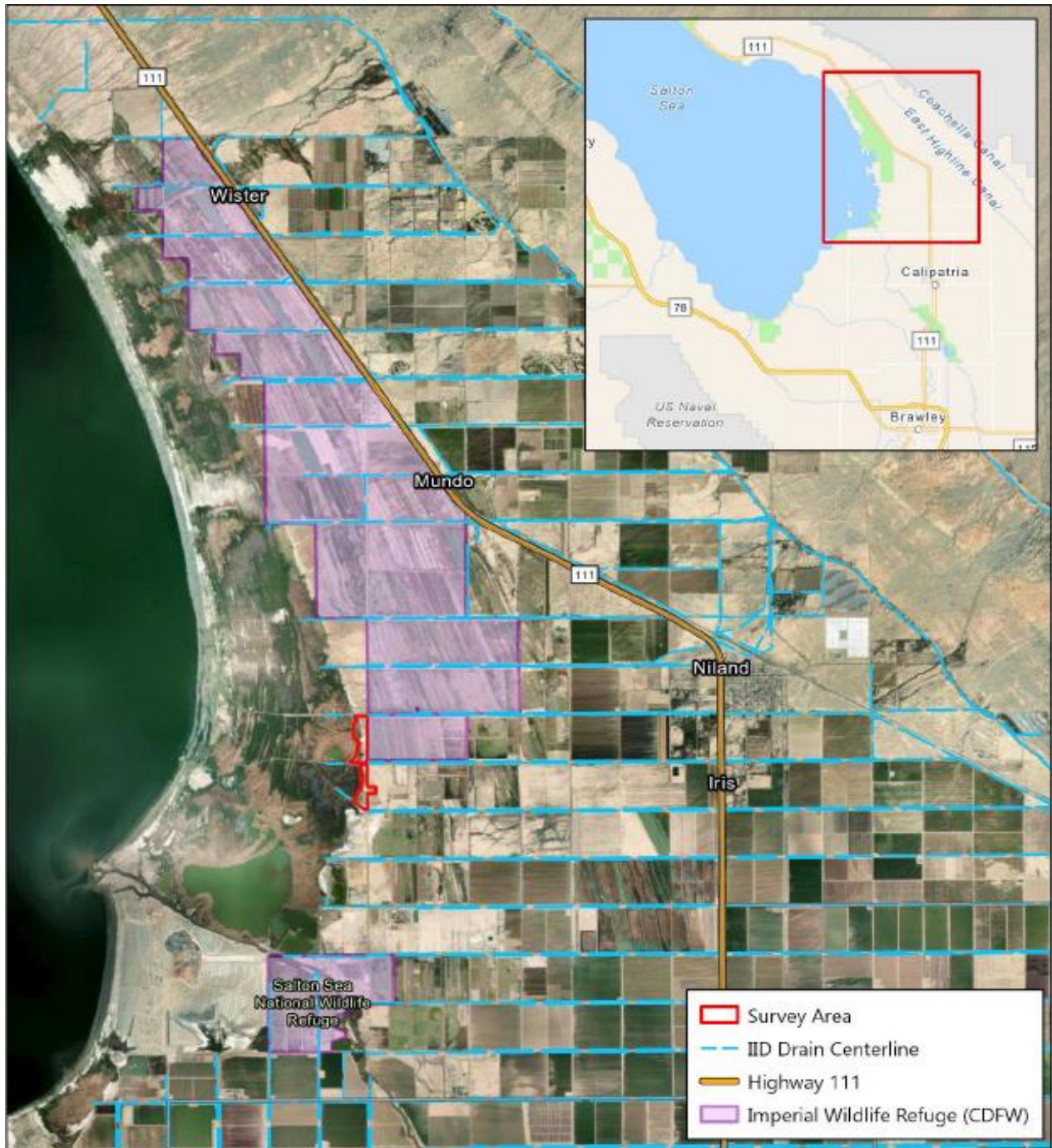


Figure 1: Regional Site Vicinity Map¹

¹Hell's Kitchen Geothermal, February 2023. Notice of Intent (NOI) for Hell's Kitchen Geotechnical Investigation Project.

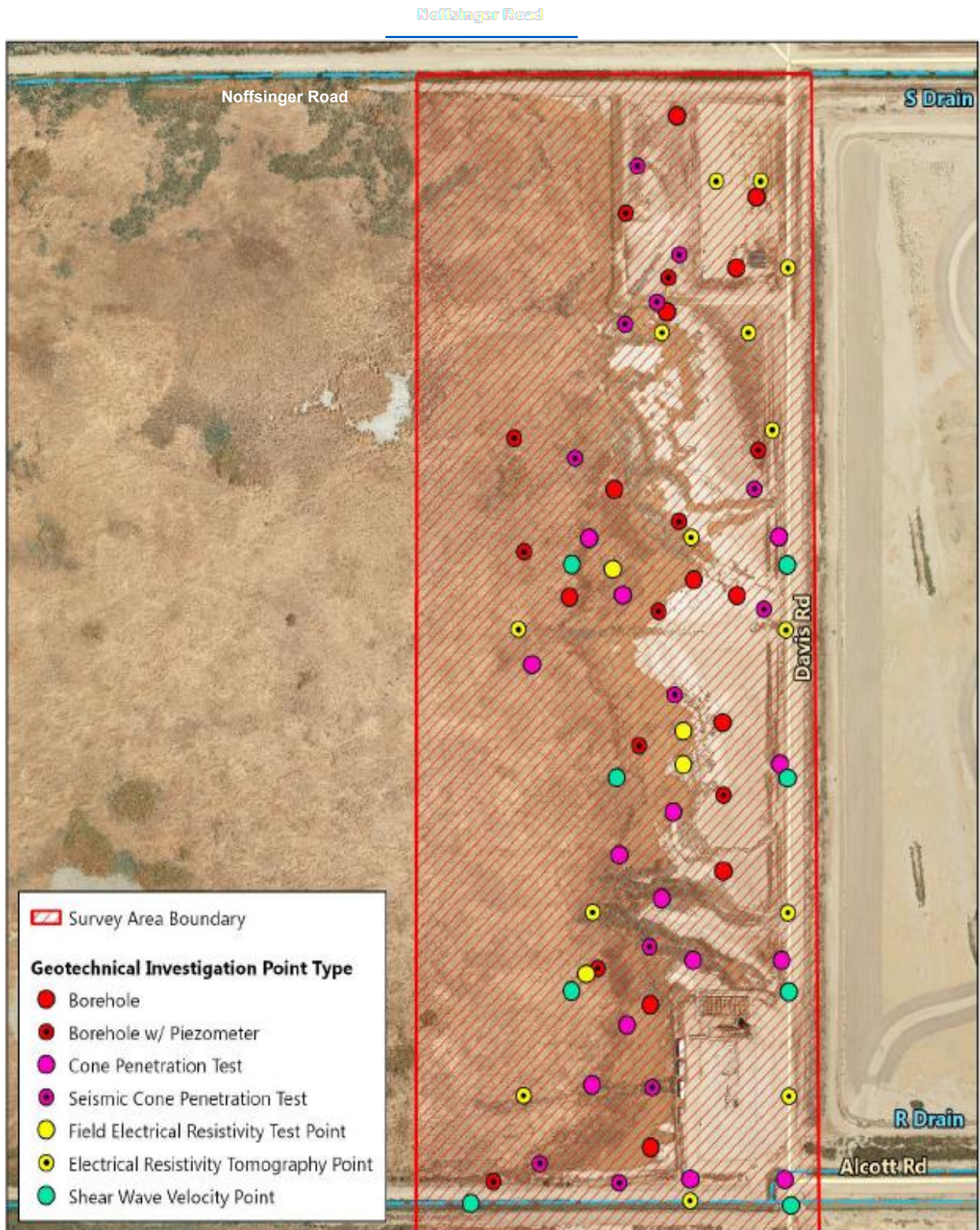


Figure 2: Geotechnical Survey Locations (North)

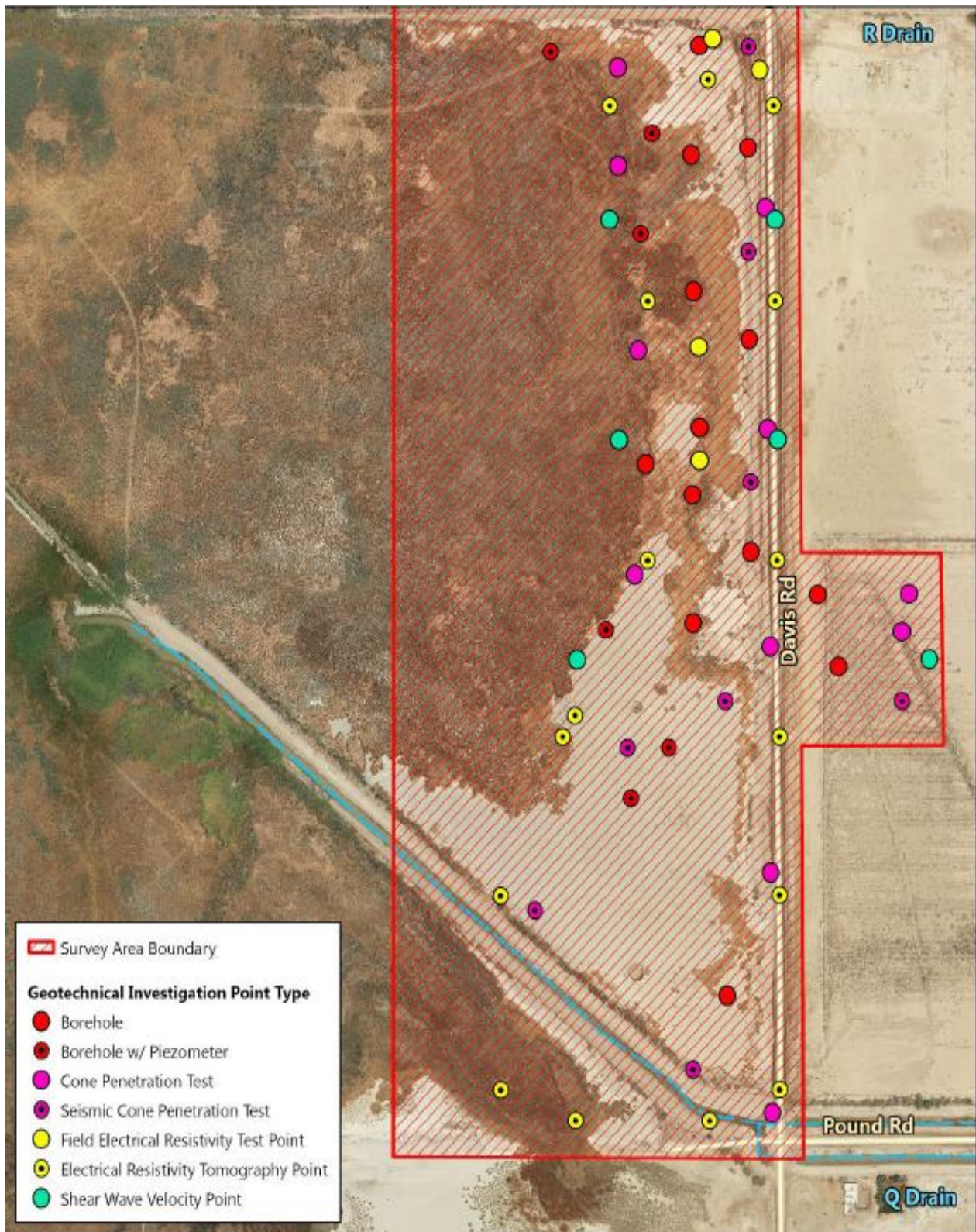


Figure 3: Geotechnical Survey Locations (South)

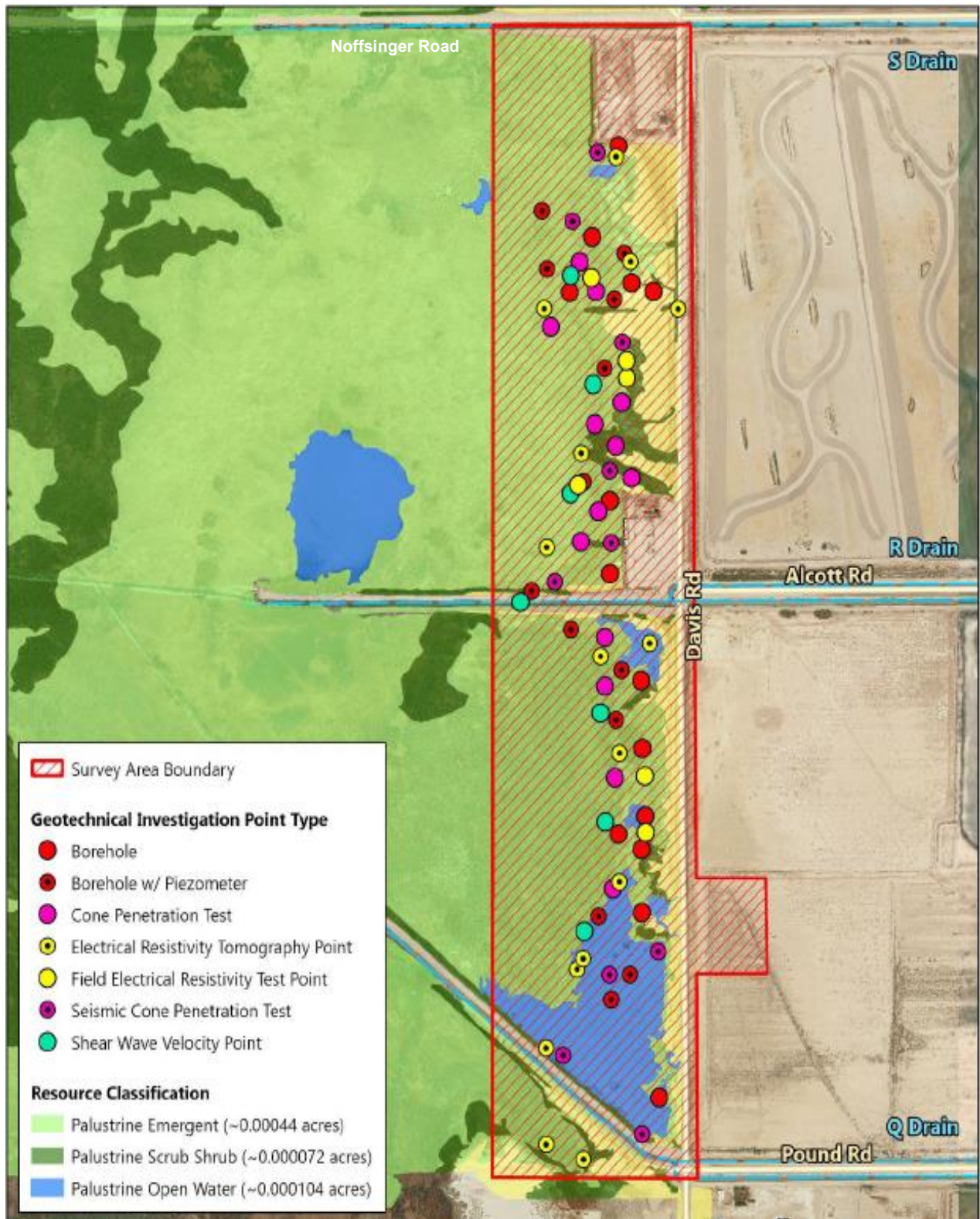


Figure 4: Geotechnical Survey Locations, Impacts to Aquatic Resources