
Central Valley Regional Water Quality Control Board

16 October 2020

John Northrop
California Water Service
3725 South H Street
Bakersfield, CA 93720

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR CALIFORNIA WATER SERVICE, KERN RIVER EXPOSURE PROJECT (WDID#5C15CR00116), KERN COUNTY

On 14 October 2020, California Water Service (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 Kern River Exposure 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 will temporarily impact 1.0 acre and permanently impact 0.16 acre 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 proceed 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 14 October 2020, 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 Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.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 proposed project includes erosion control for a 28-inch diameter AT&T utility line and a 26-inch diameter California Water Service (Cal Water) line that cross the Kern River. Approximately 133 linear feet of the Cal Water line and approximately 131 linear feet of the AT&T utility line are currently exposed due to head cutting of the Kern River.

To reduce continual erosion around the AT&T utility line and the Cal Water line, the project proposes to armor the lines with a system of articulating concrete revetment mattresses and to install subgrade and above-grade rock slope protection, not-to-exceed 1,200 tons of 18- to 24-inch diameter rocks. Upstream and downstream of the mat protection system, two anchor trenches will be placed at 2-foot and 5-foot depths and backfilled with rock. To prevent headcutting from progressing upstream, a 5-foot deep by 8-foot long subgrade rock grade control will be installed. Rock slope protection will be added upstream and downstream of the mat protection system to prevent lateral migration of the river. Grading within the project limits will initiate construction to prepare the site for the installation of erosion control materials. Staging would occur in uplands northeast of the work area on previously disturbed ground.

ADDITIONAL CONDITIONS:

1. The Applicant shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ, as amended for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavations, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.
2. The Applicant shall monitor the site post-construction for one year to identify any repair any areas that contain excessive erosion.
3. Hazardous materials must be disposed of at appropriate facilities.

PROJECT LOCATION:

The Project is located near Rosedale Highway and Riverside Drive in the City of Bakersfield.

Latitude: 35.3821° and Longitude: -119.0405°

PROJECT SCHEDULE:

Staging would occur in uplands northeast of the work area on previously disturbed ground. Repairs are anticipated to begin on 13 October 2020 and require three weeks of effort.

APPLICATION FEE RECEIVED:

An application fee of \$ 1,949 was received on 9 October 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 H - 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 Debra Mahnke at (559) 445-6281 or at Debra.Mahnke@waterboards.ca.gov.

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