



Central Valley Regional Water Quality Control Board

28 April 2023

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1546 China Grade Loop, L14
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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, CHEVRON STATION 2-22 PHASE 5 AREA SAMPLING PROJECT (WDID 5C15CR00133), KERN COUNTY

On 3 April 2023, the Chevron USA Inc. (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 Chevron Station 2-22 Phase 5 Area Sampling 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.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. 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 Purpose of the project involves the advancement of approximately 33 drill holes and the collection of approximately 99 soil samples for chemical analyses. Based on the soil sample results, up to an additional 30 drill holes may be advanced. The drill holes will be manually advanced to an approximate depth of 5 feet using a hand-auger kit equipped with a 2-inch diameter bucket. Soil samples will be collected at approximate depths of 0.5 feet, two feet, and five feet. Soil samples will be collected directly from the hand auger bucket, placed in laboratory-provided glass jars, and appropriately labeled.

Project elements that affect aquatic resources, which will temporarily impact 0.0007 acres or 0.5 square feet per sample location, are located within the stream bed. Temporarily impacted areas will be restored to pre-project conditions. Due to contaminants present in soil, at the conclusion of soil sampling activities, the drill holes advanced at the Project Site will be backfilled with bentonite chips, and then subsequently hydrated in-place as required per U.S. EPA 40 Code of Federal Regulations (CFR) 761.61(c) (risk-based cleanup).

PROJECT LOCATION:

The Project is located south of Derby Acres, CA. The approximate center of the Project area is located at latitude 35.2108 degrees North and longitude -119.59476 degrees West.

PROJECT SCHEDULE:

Project activities are proposed to take place from 1 June 2023 to 1 August 2023.

APPLICATION FEE RECEIVED:

A fee of \$2,734.00 was received on 7 April 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 E - Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

MITIGATION AND MINIMIZATION MEASURES:

At the completion of the maintenance and repair work, all disturbed soils would be stabilized by compaction and the entire construction area would be recontoured to preconstruction grades. An herbaceous, native California seed mix may be applied as necessary to revegetate all temporarily disturbed areas. Most of the area is composed of native shrubs (*Atriplex polycarpa*) that will be removed for Project activities. It is likely that there are enough shrubs within the general area that *Atriplex* will recover in the disturbed areas as has been observed by Padre Associates, Inc. at several locations throughout the general region. Due to the relatively low amount of disturbance and implementation of hand sampling, habitat disturbance is anticipated to be less than significant; therefore, no proposed mitigation is planned.

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.

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

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

cc: (electronic copy only)

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