



Central Valley Regional Water Quality Control Board

20 May 2021

Molly Peters
Southern California Gas Company
555 W. 5th Street
Los Angeles, CA 90013

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, LINE 85 RIGHT-OF-WAY MAINTENANCE PROJECT (WDID NO. 5C15CR00119), KERN COUNTY

On 14 April 2021, the Southern California Gas Company (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 Line 85 Right-of-Way Maintenance 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 0.17-acre Project consists of maintaining an access road for the Pipeline 85 gas pipeline. Project elements that affect aquatic resources include the placement of articulated concrete mats at an unnamed drainage (mile post 99.4) and Salt Creek (mile post 100.5) for the SoCalGas right-of-way for Line 85. No imported fill material is anticipated, nor will it be required since any repair as a result of erosion over time that would require fill would be achieved through surface grading of the existing roadbed for materials. The contractor will stage heavy equipment overnight within the footprint of the access road and vehicle pullouts. The Project will temporarily impact 0.045 acre/92 linear feet and permanently impact 0.132 acre/169 linear feet of stream channel. Temporarily impacted areas shall be restored to pre-Project condition.

PROJECT LOCATION:

The Project is located in the unincorporated territory of Wheeler Ridge, Kern County, California. The approximate center of the Project area is located at latitude 34.9550 Degrees North and longitude -118.9617 Degrees West.

PROJECT SCHEDULE:

The project is expected to begin in the Summer of 2021, and the duration will last two months from start of construction.

APPLICATION FEE RECEIVED:

A fee of \$2,066.00 was received on 20 April 2021. The remaining application fee balance of \$1,064.00 based on total Project impacts was also received on 20 April 2021.

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 A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

MITIGATION AND MINIMIZATION MEASURES:

The Permittee is required to provide compensatory mitigation for the authorized impact to 0.132 acre of stream channel habitat by purchasing 0.132 Aquatic Resource Credits in the Kern River Aquatic Resource Watershed Service Area. Required credits shall be purchased from the National Fish and Wildlife Foundation (NFWF)'s Sacramento District California In-Lieu Fee Program.

The Applicant must implement the mitigation and minimization measures proposed in its Mitigation Plan. A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Central Valley Water Board prior to the initiation of impacts to waters of the state.

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 Brandon Salazar by phone at (559) 445-6278 or by email at Brandon.Salazar@waterboards.ca.gov.

Signed by Scott Hatton for:
Patrick Pulupa
Executive Officer

CC: [Via email only] (w/ enclosure):

United States Environmental Protection Agency
Region 9
R9cwa401@epa.gov

Patricia Cole
United States Fish & Wildlife Service
patricia_cole@fws.gov

California Department of Fish and Wildlife, Region 4
R4LSA@wildlife.ca.gov

CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
Stateboard401@waterboards.ca.gov

Dana King
Sapphos Environmental Inc.
DKing@sapphosenvironmental.com