



Central Valley Regional Water Quality Control Board

15 August 2023

Mike Rocha
Caltrans
2015 E. Shields, Suite A-100
Fresno, CA 93726

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE CALTRANS, KERN 155 REPAIR 06-1G040 PROJECT (WDID# 5C15CR00140), KERN COUNTY

On 20 July 2023, Caltrans (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 155 Repair 06-1G040 (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 is taking place within 0.025 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 shall be conducted 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 20 July 2023, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

PROJECT DESCRIPTION:

The Project consists of emergency repairs to three culverts on Highway 155 in Kern County. Activities within the channels are anticipated to include the removal and replacement of the culverts, slope repair (to previous contours before storm damage), and installation of temporary water diversions. Work is proposed up to 10 feet from culvert inlet and culvert outlet for each location. Diversion berms are anticipated to be installed for the water diversions. The temporary berms would be removed, and the banks would be returned to previous contours once the emergency work is complete. The material used for the temporary diversion berms will consist of sandbags, soil, and visqueen.

The Project will temporarily impact 0.025 acre of waters of the United States.

PROJECT LOCATION:

The Project is located at three culverts along Highway 155.

Post Mile 42.95 - Latitude 35.734480, North and Longitude: -118.667460 West

Post Mile 54.67 - Latitude: 35.73229 North and Longitude: -118.53637 West

Post Mile 55.27 - Latitude: 35.727194 North and Longitude: -118.53419 West

PROJECT SCHEDULE:

The Project started construction on 24 July 2023 and will continue until 31 August 2023.

APPLICATION FEE RECEIVED:

This Order is conditioned upon receipt of an application fee of \$2,734.00 required under title 23 of the California Code of Regulations and owed by the Enrollee (i.e., the person or entity proposing to enroll under the Corps' RGP 8 to conduct activities which may result in a discharge to a water of the U.S.).

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 F - 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 Brandon Salazar at (559) 445-6287 or at Brandon.Salazar@waterboards.ca.gov.



for:

Patrick Pulupa
Executive Officer

cc: see next page

cc: Via email only:

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