



Central Valley Regional Water Quality Control Board

16 August 2023

Clifton Taylor
JEN CA Placer Ranch, LLC
1478 Stone Point Dr, Ste 100
Roseville, CA 95661
clifton@taylor-builders.com

NOTICE OF APPLICABILITY FOR COVERAGE UNDER GENERAL ORDER NO. R5-2020-0048, WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION OF THE WESTERN PLACER COUNTY HABITAT CONSERVATION PLAN PROGRAMMATIC GENERAL PERMIT, PLACER ONE PHASE 1A INFRASTRUCTURE PROJECT (WDID#5A31CR00534-023), PLACER COUNTY

On 15 June 2023, JEN CA Placer Ranch, LLC (Permittee) submitted a Notice of Intent (NOI) to enroll under and comply with Central Valley Regional Water Quality Control Board (Central Valley Water Board) General Order R5-2020-0048, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the Western Placer County Habitat Conservation Plan Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the Placer One Phase 1A Infrastructure Project (Project) meets the eligibility requirements of, and is hereby enrolled under, General Order R5-2020-0048. You may proceed with your Project in accordance with the Order.

A copy of General Order R5-2020-0048 can be found on the [Central Valley Water Board's Adopted Orders webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5a31cr00534.pdf) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5a31cr00534.pdf).

Please familiarize yourself with the requirements of General Order R5-2020-0048. You are responsible for complying with all applicable Order requirements. Failure to comply with General Order R5-2020-0048 constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The 19.5-acre Project consists of constructing three multipurpose storm water basins and infrastructure improvements along the eastern side of Fiddymont Road and along the northern side of the future Sunset Boulevard.

The storm water basins have been designed to collect storm water from the Placer One Phase 1A subdivision development area. The basins include subdrains, emergency overflows, equalization culverts, and vegetated swales through which controlled discharges would be released to an unnamed ephemeral tributary to Pleasant Grove Creek.

Activity along Sunset Boulevard consists of road construction and utility infrastructure installation, including infrastructure needed to manage storm water. Activity along the east side of Fiddymont Road consists of minor road widening and utility infrastructure installation, also including infrastructure needed to manage storm water.

Project elements that affect aquatic resources include grading the project site, which will permanently impact 0.21 acre of seasonal wetland habitat, 0.1 acre/3,281 linear feet of seasonal wetland swale habitat, and 0.09 acre of vernal pool habitat.

There will be 0.003 acre/29 linear feet of temporary impacts to the ephemeral drainage in areas where stormwater vegetated swales discharge to the ephemeral drainage. These areas will be restored to meet existing contours and seeded to revegetate disturbed areas.

PROJECT TYPE:

Mixed Use Development/Roads and Highways

ADDITIONAL CONDITION:

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.

PROJECT LOCATION:

The Project is located approximately 0.4 miles due east of Fiddymont Road and 0.3 mi due north of the City of Roseville limit.

Section 7, Township 11 North, Range 6 East, MDB&M

Latitude: 38.814787° N and Longitude: -121.342577° W

PROJECT SCHEDULE:

01 July 2023 through 30 June 2028.

PUBLIC NOTICE

The Central Valley Water Board provided public notice of the application from 21 July 2023 to 11 August 2023. The Central Valley Water Board did not receive any comments during the comment period.

COMPENSATORY MITIGATION

To mitigate for the loss of 0.21 acre of seasonal wetland habitat, 0.1 acre of seasonal wetland swale habitat, and 0.09 acre of vernal pool habitat, the Applicant shall purchase a minimum of 0.31 seasonal wetland credits and 0.09 vernal pool credits from the Western Placer County In-Lieu Fee program for the impacted watershed prior to commencing construction. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts. Compensatory mitigation must comply with the effective policy, which ensures no overall net loss of wetlands for impacts to waters of the state, at the time of Certification.

Evidence of compliance with compensatory mitigation requirements includes providing a letter from the approved in-lieu fee recipient. The letter must: a) be on the in-lieu fee recipient's letterhead; b) be signed by an authorized representative of the in-lieu fee recipient; c) indicate the United States Army Corps of Engineers' SPK number; d) describe the Project name and location; and e) detail the type of in-lieu fees paid for the Project's impacts.

APPLICATION FEE RECEIVED:

An application fee of \$9,990.00 was received on 19 June 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 A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:

The proposed Project will comply with all applicable measures identified within Master Conditions on Covered Activities Checklist, submitted with application. The Applicant will implement the Avoidance and Minimization Measures (AMMs) and construction Best Management Practices (BMPs) outlined in the County Aquatic Resource Program (CARP) document, the Habitat Conservation Program/Natural Community Conservation Program (HCP/NCCP) document, and General Order No. R5-2020-0048.

WATER QUALITY MONITORING:

Water quality monitoring is not required if construction is completed when the aquatic features are naturally dry.

PETITIONS FOR RECONSIDERATION:

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this NOA falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Links to the law and regulations applicable to filing petitions may be found on the Water Quality Petitions Page [Water Quality Petitions | California State Water Resources Control Board](#)

(http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request."

If you have any questions regarding this Notice of Applicability, please contact Nicholas Savino by phone at (916) 464-4920 or by email at Nicholas.Savino@waterboards.ca.gov.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

Attachments: Figure 1 – Project Location
Figure 2 – Project Impacts

cc: [Via email only]

Julie Rimbault
United States Army Corps of Engineers
Sacramento District Office
Regulatory Division
Julie.C.Rimbault@usace.army.mil

United States Environmental Protection Agency
R9CWA401@epa.gov

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

Theresa Johnson
Placer County
tjohnson@placer.ca.gov

Sarah VonderOhe
Madrone Ecological Consulting, LLC
svonderohe@madroneeco.com

Figure 1: Project Location Map

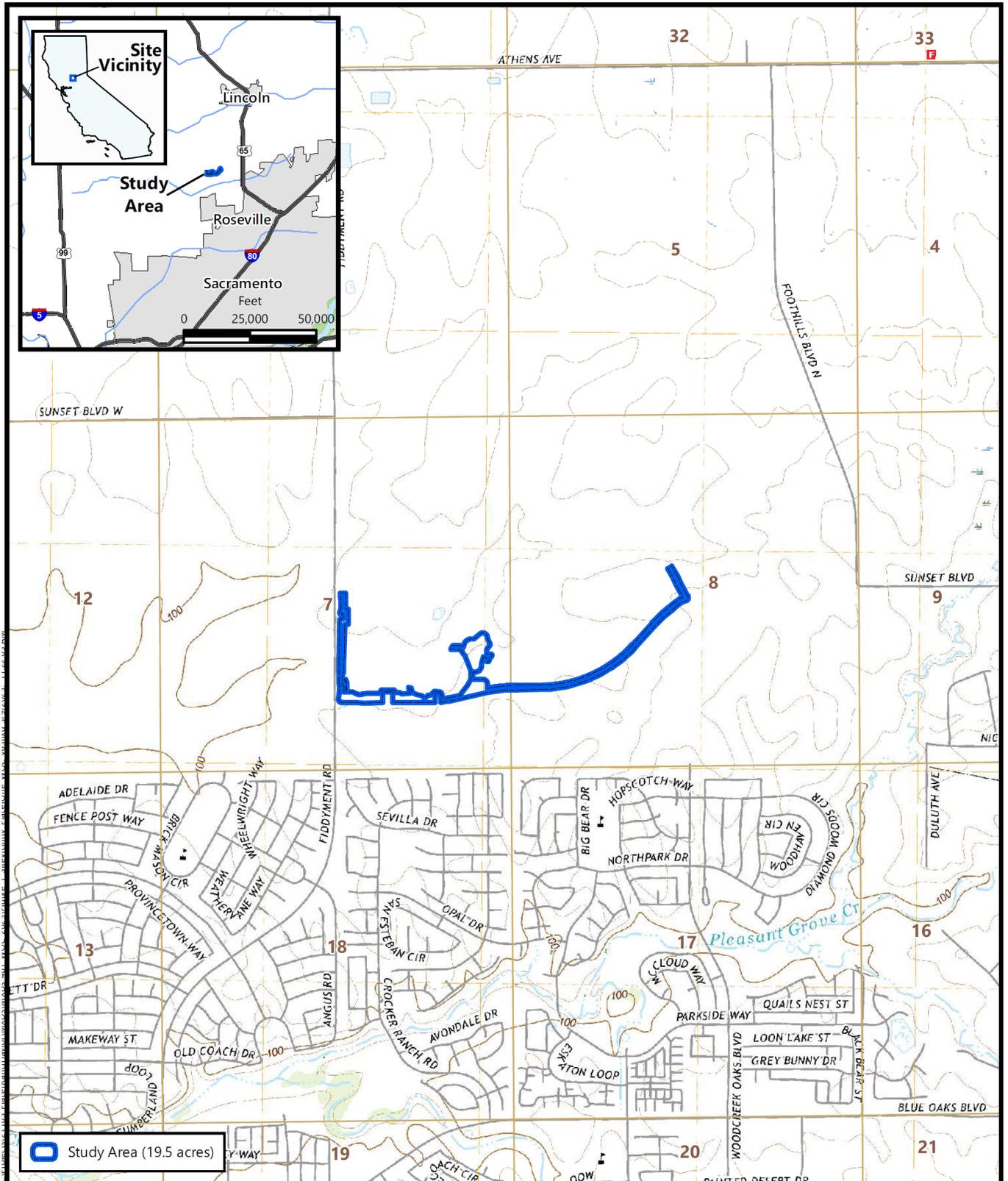


Figure 2: Project Impacts Map

