
Central Valley Regional Water Quality Control Board

20 March 2024

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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, HENRY ROOD PARK PROJECT (WDID#5A31CR00534-026), PLACER COUNTY

On 1 December 2023, the City of Lincoln (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 Henry Rood Park 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 5.4-acre Project consists of constructing Henry Rood Park, which includes features for sports and public activities, sidewalks, parking areas and associated infrastructure including landscaping, lighting, utilities, and stormwater management.

The existing site will be graded to accommodate the park. Silt fencing and temporary fiber rolls, as well as temporary drain inlet protection, will be installed along the perimeter of the project site to prevent erosion during construction. A stabilized

construction entrance will be located on Caledon Circle in the western corner of the project site. It is anticipated that earthmoving or grading construction activities will result in moving a total of 2,800 cubic yards of soil around the project site. Approximately 950 cubic yards of soil may need to be imported for amendments. Earth moving will occur to a depth of 12 feet at the connections to existing sewer and storm drainpipes, where excavation would occur up to 12 feet deep.

Project elements that affect aquatic resources include grading the project site. The Project will permanently impact 0.05 acre of vernal pool habitat.

PROJECT TYPE:

Residential Development

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:

Section 28, Township 12 North, Range 6 East, MDB&M

Latitude: 38.229617° and Longitude: -120.890115°

PROJECT SCHEDULE:

The project is scheduled to commence in September 2024 and is expected to be completed within 12 to 24 months of the Project start date.

PUBLIC NOTICE

The Central Valley Water Board provided public notice of the application from 1 March 2024 to 22 March 2024. The Central Valley Water Board did not receive any comments during the comment period.

COMPENSATORY MITIGATION

To mitigate the loss of 0.05 acre of vernal pool habitat, the Applicant shall purchase a minimum of 0.08 vernal pool credits from the Western Placer County In-Lieu Fee Program for the impacted watershed prior to commencing construction. The Applicant shall provide evidence of purchase of In-Lieu Fee Program credits to the Central Valley Water Board prior to commencing construction. At a minimum, compensatory mitigation must achieve a ratio of 1.5:1 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 letter from the 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 \$ 2,985.00 was received on 1 March 2024. 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 E – Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:

The proposed Project will comply with all applicable measures identified within the Master Conditions on Covered Activities Checklist submitted with the 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. 5 R5-2020-0048.

WATER QUALITY MONITORING:

No water quality monitoring is required. The Project will permanently remove waters within the project site from mass grading activities.

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 (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

Attachment: Figure 1: Project Location Map
Figure 2: Aquatic Resources Map

cc: [Via email only]

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Figure 2: Aquatic Resources



LSA



LEGEND

- Review Area - (5.47 ac)
- Wetland Sample Point
- Vernal Pool - (0.046 ac)
- Ingram Slough Ordinary High Water Mark

FIGURE 5

Henry Rood Park
Lincoln, Placer County, California
LSA Project Number: CAL2202