
Central Valley Regional Water Quality Control Board

15 October 2021

Derek Minnema
Capital SouthEast Connector
Joint Powers Authority
10640 Mather Boulevard, Suite 120
Mather, CA 95655

NOTICE OF APPLICABILITY FOR COVERAGE UNDER GENERAL ORDER NO. R5-2019-0023, WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION OF THE SOUTH SACRAMENTO HABITAT CONSERVATION PLAN PROGRAMMATIC GENERAL PERMIT, CONNECTOR SEGMENT D3-SCOTT ROAD REALIGNMENT PROJECT (WDID#5A34CR00759-013), SACRAMENTO COUNTY

On 17 August 2021, the Capital SouthEast Connector Joint Powers Authority (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 R5-2019-0023, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the South Sacramento Habitat Conservation Plan Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the Connector Segment D3-Scott Road Realignment Project (Project) meets the requirements of, and is hereby enrolled under, General Order R5-2019-0023. You may proceed with your Project in accordance with the Order.

A copy of the General Order R5-2019-0023 can be found on the [Central Valley Water Board's Adopted Orders webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/sacramento/r5-2019-0023.pdf) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/sacramento/r5-2019-0023.pdf).

Please familiarize yourself with the requirements of General Order R5-2019-0023. You are responsible for complying with all applicable Order requirements. Failure to comply with General Order No. R5-2019-0023 constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The Project will realign Scott Road to White Rock Road at the intersection with Prairie City Road, construct a new access road to the relocated State Parks Prairie City State

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

Vehicular Recreation Area (SVRA). Project activities consist of grading to prepare the site for road realignment and improvements. The realigned Scott Road and access road to the relocated SVRA Gate 4 will consist of a two-lane facility with outside shoulders. The existing SVRA gate will be relocated from White Rock Road to the new access road connection from realigned Scott Road and will include accommodation along the access road for vehicles to turn around when the Gate 4 access is closed. New drainage facilities including roadside ditches and culverts will be constructed as needed.

The Project will permanently impact 0.166 acre of wetland habitat, and 0.015 acre of stream channel habitat, and temporarily impact 0.066 acre of wetland habitat and 0.004 acre of stream channel habitat. The Project will place 135.6 cubic yards of soil into 0.015 acre of stream channel habitat, and 617.4 cubic yards of soil into 0.166 acre of wetland habitat. Temporarily impacted areas will be restored to pre-Project condition. No dewatering will occur in the Project Area. No wet concrete will be placed into waters of the state.

PROJECT TYPE:

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 0.5 miles south of the existing Scott Road intersection with White Rock Road in Folsom.

Section 19, 25, and 30, Township 9 North, Range 7 East and 8 East, MDB&M

Latitude: 38°36'53.44" N and Longitude: -121°8'58.31" W

PROJECT SCHEDULE:

The Project is expected to begin construction in 2022 and conclude in 2023.

COMPENSATORY MITIGATION

A copy of the fully executed agreements for the purchase of mitigation credits shall be provided to the Central Valley Water Board prior to the initiation of in-water work.

The Permittee shall retain responsibility for providing the compensatory mitigation and long-term management until Central Valley Water Board staff has received documentation of the credit purchase and the transfer agreement between the Permittee and the seller of credits.

The Permittee shall purchase a minimum of 0.166 acre of wetland credits, and 0.015 acre of stream channel credits from the South Sacramento In-Lieu Fee Program prior to the initiation of in-water work for the permanent impacts to 0.166 acre of wetland habitat and 0.015 acre of stream channel habitat.

APPLICATION FEE RECEIVED:

An application fee of \$4,604.00 was received on 20 August 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 A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:

The Applicant shall implement the avoidance and minimization measures (AMMs) listed in the Biological Resources Evaluation for the Connector Segment D3-Scott Road Realignment Project dated April 2021.

WATER QUALITY MONITORING:

No sampling is required for the excavation of 0.166 acre of wetland habitat and 0.015 acre of stream channel habitat if work is performed during naturally dry conditions.

If you have any questions regarding this Notice of Applicability, please contact Angela Nguyen-Tan at (916) 464-0335 or Angela.Nguyen-Tan@waterboards.ca.gov.

Original Signed By James Marshall for:

Patrick Pulupa
Executive Officer

Attachments: Figure 1 – Project Location Map
Figure 2 – Impacts to Aquatic Resources

cc: Distribution List, page 4

DISTRIBUTION LIST

cc: [Via email only]

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LSA

LEGEND

 Biological Study Area (BSA) - (62.32 ac)

FIGURE 3



0 1000 2000
FEET

SOURCE: Basemap - Maxar Aerial Imagery (11/2019).
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Scott Road Realignment Modification of the Capital
SouthEast Connector Segment D3/E1 Project
Sacramento County, California
LSA Project No. MKT2009

Project Vicinity on Aerial Base

Figure 1—Project Location

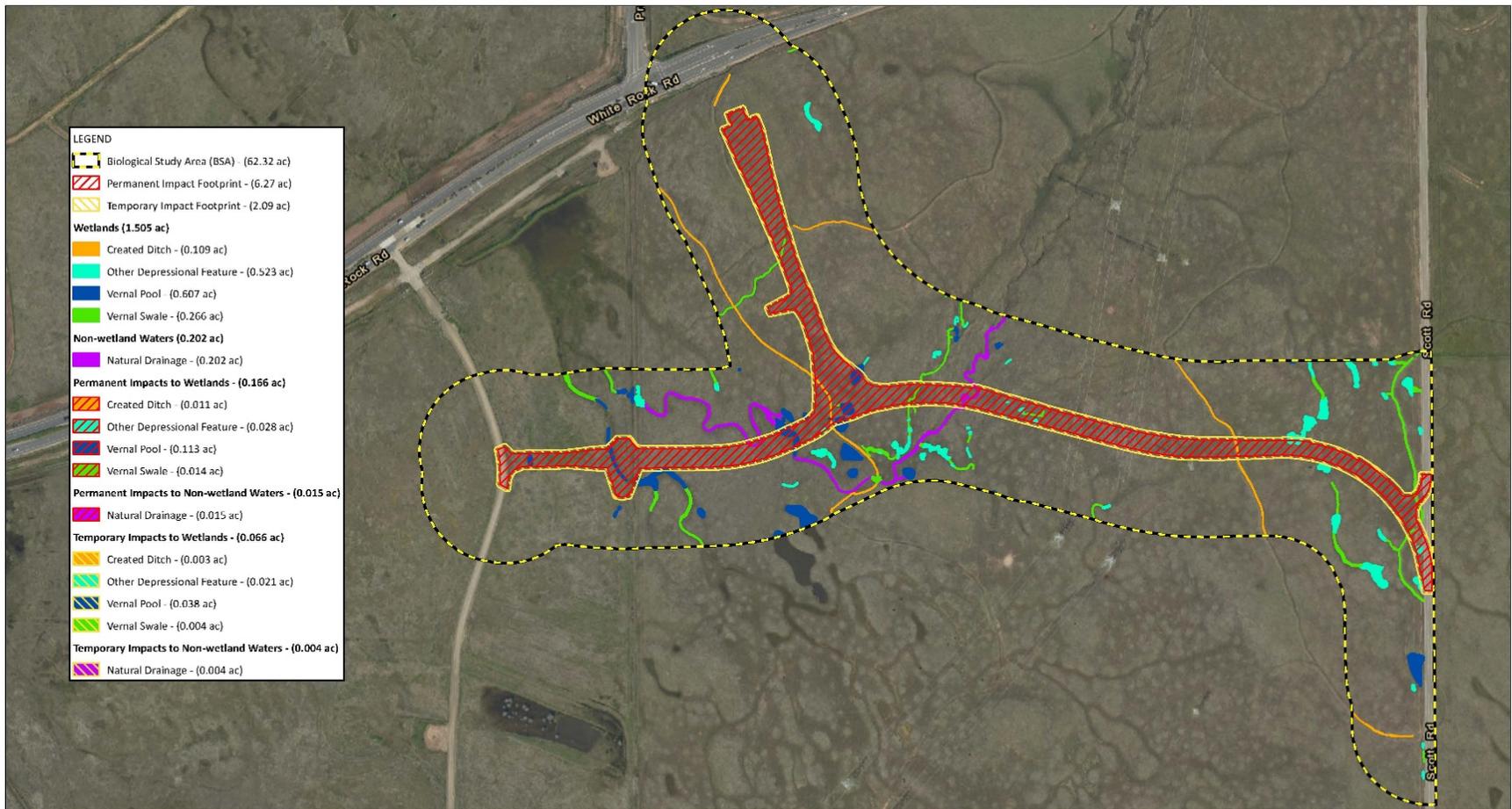


FIGURE 9

LSA



0 150 300
 FEET

SOURCE: Basemap - Sacramento Regional GIS Coop (03/2018); Mapping - LSA (12/2020)
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Scott Road Realignment Modification of the Capital
 SouthEast Connector Segment D3/E1 Project
 Sacramento County, California
 LSA Project No. MKT2009
 Impacts to Aquatic Resources

Figure 2—Impacts to Aquatic Resources