



Central Valley Regional Water Quality Control Board

4 May 2022

Hari Johl
224 Nunzia Court
Roseville, CA 95661

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, SILVEIRA PROPERTY PROJECT (WDID#5A34CR00759-016), SACRAMENTO COUNTY

On 22 March 2022, Hari Johl (Applicant) 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 No. R5-2019-0023, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the South Sacramento Habitat Conservation Plan (SSHCP) Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the Silveira Property 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 No. 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 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 14.3-acre Project consists of mass grading to prepare the area for future subdivision development.

Project elements that affect aquatic resources include filling 0.177 acre of aquatic resources. The Project will permanently impact 0.154 acre of seasonal wetland and 0.023 acre of a drainage ditch. There are no temporary impacts associated with the project.

PROJECT TYPE:

Residential

ADDITIONAL CONDITION:

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 at 7775 Carmencita Avenue, Sacramento.

Section 9, Township 7 North, Range 6 East, MDB&M

Latitude: 38.475038° and Longitude: -121.327794°

PROJECT SCHEDULE:

Project activities will occur between 2022 and 2026 within a window approved by Sacramento County.

COMPENSATORY MITIGATION

To mitigate for the loss of 0.177 acre of aquatic resources, the Applicant shall purchase a minimum of 0.177 seasonal wetland mitigation credits from the SSHCP In-Lieu Fee Program for the impacted watershed prior to commencing construction. The Applicant shall provide evidence of all off-site compensatory mitigation to the Central Valley Water Board. 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 \$3,878.00 was received on 30 March 2022.

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 (AMM) listed in the Project SSHCP AMM compliance document that was submitted as Attachment 5 of the Applicant's application on 28 March 2022.

WATER QUALITY MONITORING:

Water quality monitoring is not required for the permanent filling of 0.177 acre of aquatic resources because work will be performed during naturally dry conditions.

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

Original Signed by James Marshall (for)
Patrick Pulupa
Executive Officer

Attachments: Figure 1 – Project Location Map
Figure 2 – Site Impact Map

cc: [Via email only]

DISTRIBUTION LIST

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Figure 1: Project Location Map

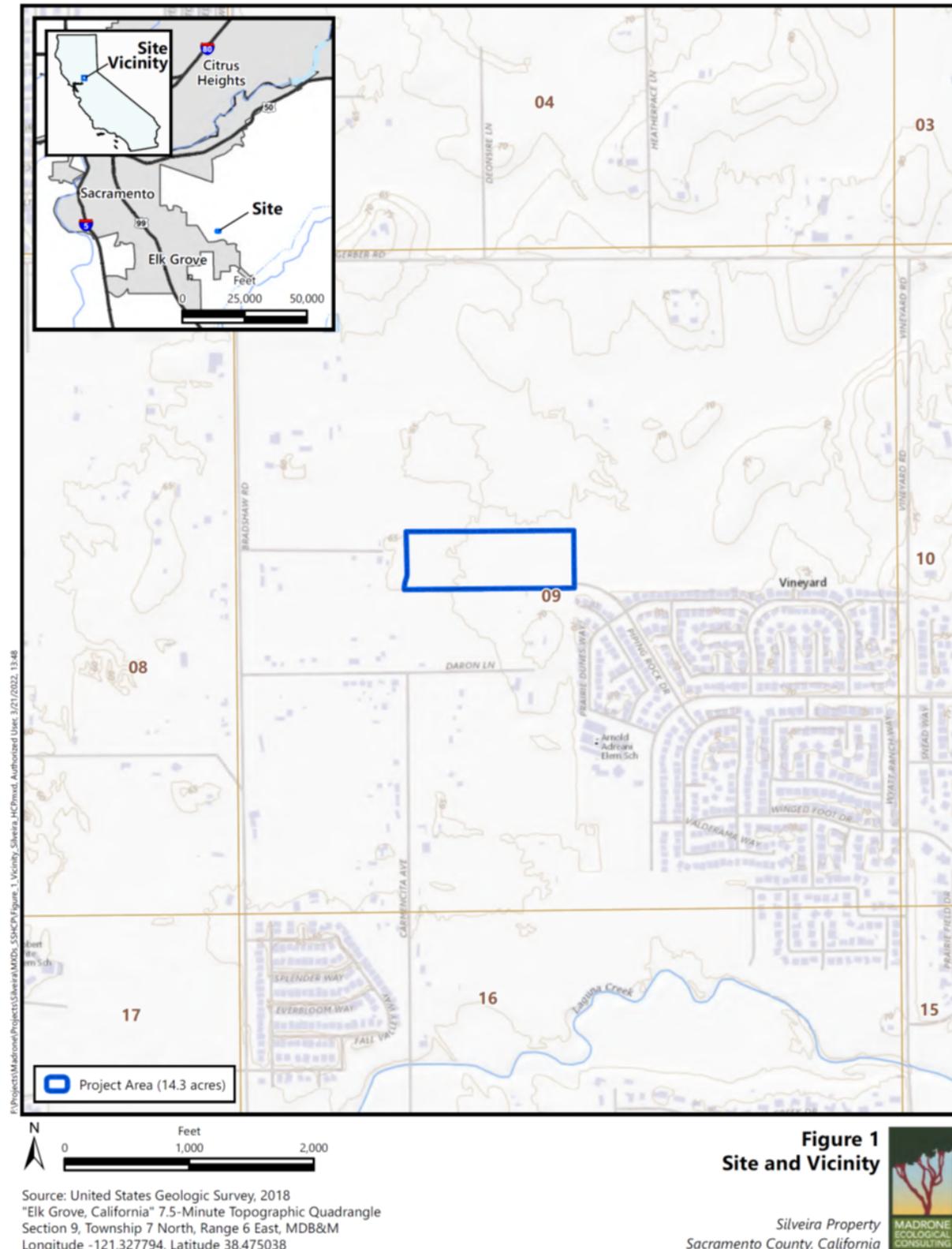
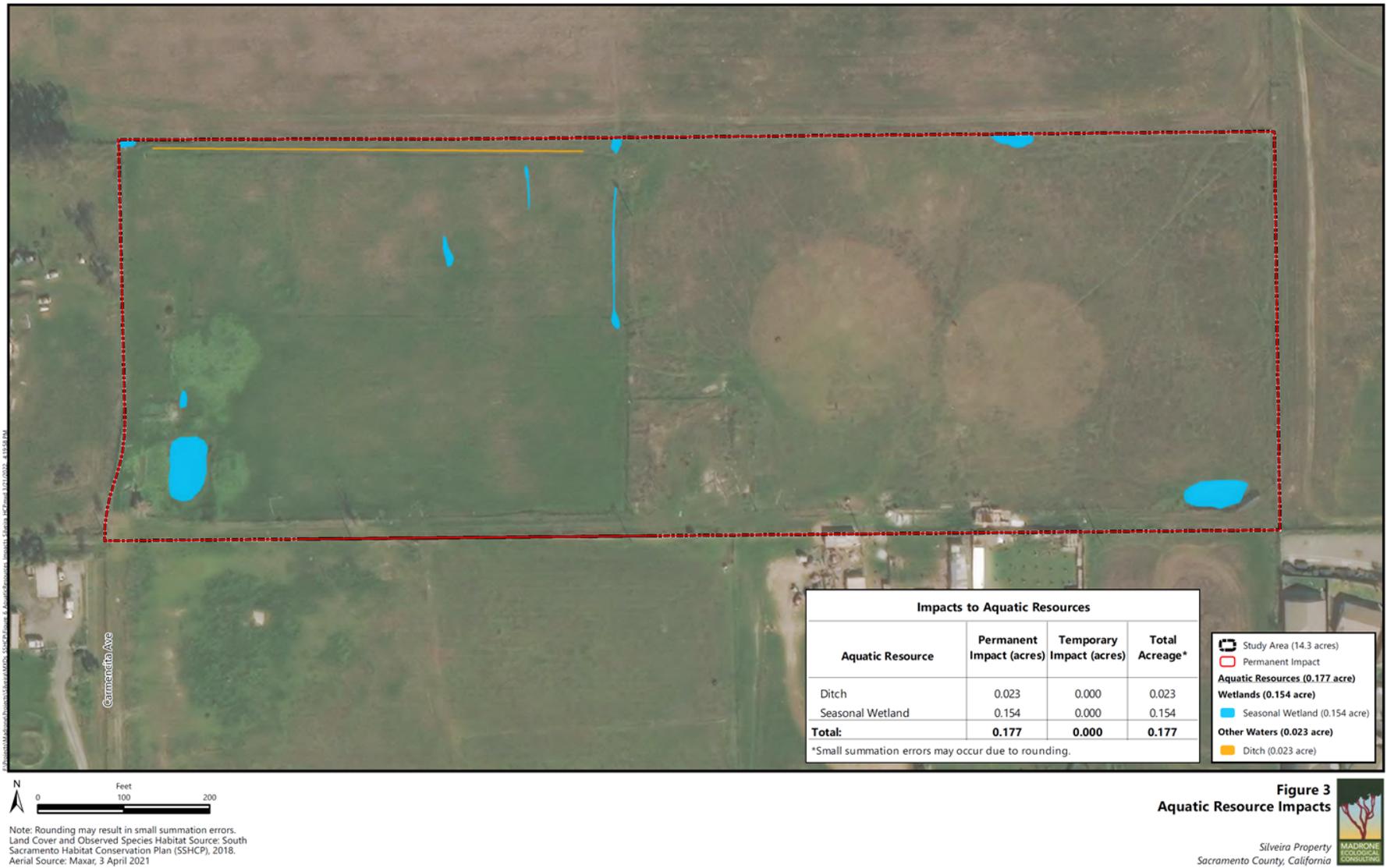


Figure 2: Site Impact Map



Note: Rounding may result in small summation errors.
 Land Cover and Observed Species Habitat Source: South
 Sacramento Habitat Conservation Plan (SSHCP), 2018.
 Aerial Source: Maxar, 3 April 2021