

Central Valley Regional Water Quality Control Board

8 August 2025

Max Korten
East Bay Regional Parks District
2950 Peralta Oaks Court
Oakland, CA 94605
MKorten@ebparks.org

**NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER WQ 2022-0048-DWQ,
ORDER FOR CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION
AND WASTE DISCHARGE REQUIREMENTS FOR RESTORATION PROJECTS
STATEWIDE, EAST BAY REGIONAL PARKS DISTRICT, FORMER RODDY RANCH
GOLF COURSE HABITAT RESTORATION AND PUBLIC ACCESS PROJECT
(WDID#5B07CR00275), CONTRA COSTA COUNTY**

On 20 June 2025, the East Bay Regional Parks District (EBRPD) submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. WQ 2022-0048-DWQ, Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide (Order).

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Former Roddy Ranch Golf Course Habitat Restoration and public access Project (Project) meets the requirements of, and is hereby enrolled under, Order No. WQ 2022-0048-DWQ. You may proceed with your Project in accordance with the Order. 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 [Order No. WQ 2022-0048-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf) can be found on the State Water Resources Control Board's General Orders webpage.

Please familiarize yourself with the requirements of Order No. WQ 2022-0048-DWQ. You are responsible for complying with all applicable Order requirements. Coverage under the Order is no longer valid if the Project (as described) is modified. Failure to comply with Order No. WQ 2022-0048-DWQ constitutes a violation of the California

NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The purpose of the 158.082-acre Project is to open the golf course and park to the public for passive recreation as a regional preserve while restoring ecological habitats.

The first phase of the project involves demolishing and removing existing infrastructure, restoring wetland habitats, and reestablishing natural surface water flow and infiltration by decommissioning most of the existing subsurface storm drain network. Intended low-intensity recreational uses include hiking, biking, horseback riding, wildlife observation, and environmental education, compatible with the biological goals of the EBRPD and Conservancy. Site improvements include reducing and reconfiguring the parking lot with accessible and equestrian trailer parking, adding amenities such as picnic tables, a shade structure, restrooms, and drinking fountains, and converting golf cart paths into approximately 2.3 miles of multi-use trails and an additional 1.6 miles of accessible multi-use trails. Improvements made at the intersection of Deer Valley Road and Tour Way include adding a left-hand turn lane to improve safety and visibility.

Project elements that affect aquatic resources consist of removing plumbing and overflow structures, reinforcing berms, and improving outlets to allow water to flow freely downslope once the target ponded volume is reached. Combined with upland improvements designed to retain runoff, the Project aims to restore natural flow patterns and extend the hydroperiod of each downstream basin. Basin 2 and Pond 33 are identified as waters of the state.

Work at Basin 2 includes removing abandoned irrigation and storm drain infrastructure. There is no new grading occurring at Basin 2. Following the removal of infrastructure, the basin will be smoothed to match existing contours.

Work at Pond 33 includes enhancement to its berm and outlet structure, the majority of which is adjacent to the mapped aquatic feature. Man-made debris or abandoned irrigation plumbing will be excavated and removed. The Project will temporarily impact 0.002 acre(s)/197 linear feet of wetland habitat. Temporarily impacted areas will be restored to pre-Project condition.

PROJECT LOCATION:

The Project is located at 11 Tour Way approximately two miles south of Antioch in unincorporated east Contra Costa County.

Assessor's Parcel No: 057-060-017 and 057-060-02.

The approximate center of the Project area is located at latitude 37° 55' 32.87" and longitude -121° 47' 21.11".

PROJECT SCHEDULE:

April 2026 through December 2027

APPLICATION FEE RECEIVED:

\$1,123.00 was received on 27 June 2025. 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 D - Ecological Restoration and Enhancement Projects (fee code 85) with the dredge and fill fee calculator.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

On 16 August 2022, the State Water Resources Control Board, as lead agency, certified a Programmatic Environmental Impact Report (EIR) (State Clearinghouse (SCH) No. 2019100230) for the Project and filed a Notice of Determination (NOD) at the SCH on 12 September 2022.

The *Mitigation and Monitoring Plan for Impacts to Waters of the State for the Former Roddy Ranch Golf Course Habitat and Restoration and Public Access Project*, dated May 2025, includes the following impact designations and mitigation measures applicable to the Project that are consistent with the PEIR:

- Impact 3.11-1: Implementing restoration projects permitted under the Order could result in the release of pollutants into surface water and/or groundwater that could violate water quality standards or waste discharge requirements, substantially degrade water quality, or obstruct implementation of a water quality control plan.

The State Water Board has adopted a Statewide General Permit for Stormwater Discharges Associated with Construction Activity (Construction General Permit, Order 2009-0009-DWQ) for construction sites where 1 or more acres of soil would be disturbed. The Construction General Permit requires, among other actions, the implementation of mandatory best management practices, including pollution/sediment/ spill control plans, training, sampling, and monitoring for non-visible pollutants. In addition, the Regional Boards may require projects to obtain an NPDES permit or waste discharge requirements before they discharge clean or relatively pollutant-free wastewater that pose little or no threat to the quality of the receiving water (e.g., to discharge groundwater pumped during dewatering into surface waters). The NPDES discharge permit may require that groundwater removed during construction be treated before it is discharged to surface waters. Adherence to regulations may be enough to reduce impacts on water quality to less than significant in some cases. The Order does not promote the construction or implementation of individual restoration projects, nor does it describe the specific size, location, implementation timing, or exact configuration of such projects. These are all factors necessary to identify the water quality impacts of constructing restoration projects permitted under the Order. Because the potential exists for adverse impacts on water quality as a result of the construction of restoration projects permitted under the Order, this impact would be potentially significant.

Projects implementing applicable general protection measures included in the Order would further reduce impacts to hydrology and water quality. The following general protection measures may apply to hydrology and water quality:

GPM-10: Equipment Maintenance and Materials Storage
GPM-11: Material Disposal
GPM-12: Fugitive Dust Reduction
WQHM-1: Staging Areas and Stockpiling of Materials and Equipment
WQHM-2: Storm Water Pollution Prevention Plan
WQHM-3: Erosion Control Plans
WQHM-4: Hazardous Materials Management and Spill Response Plan
WQHM-5: In-Water Concrete Use
WQHM-6: Accidental Discharge of Hazardous Materials
IWW-1: Appropriate In-Water Materials
IWW-2: In-Water Vehicle Selection and Work Access
IWW-3: In-Water Placement of Materials, Structures, and Operation of Equipment
IWW-4: In-Water Staging Areas and Use of Barges
IWW-6: Dewatering/Diversion
IWW-10: In-Water Pile Driving Methods
IWW-11: Sediment Containment during In-Water Pile Driving
IWW-12: Pile-driving Monitoring
IWW-13: Dredging Operations and Dredging Materials Reuse Plan

- Integration of applicable general protection measures into project designs and plans would reduce impacts from construction activities on the water quality of the study area to a less-than-significant level.
- Long-term effects on water quality from restoration projects permitted under the Order are expected to be beneficial or sometimes neutral (in the case of fish screens or ladders), because the specific purpose of these projects would be to correct existing conditions that contribute to resource degradation. For example, projects implementing bioengineered bank stabilization would reduce the input of fine sediment, which would improve water quality. Other restoration projects, such as those to remove pilings and other in-water structures, would improve water quality by removing potential contaminant sources and hazards such as untreated and chemically treated wood pilings, piers, and vessels. In addition, restoration projects permitted under the Order could establish, restore, and enhance tidal, subtidal, and freshwater wetlands. For example, living shorelines provide a natural alternative to “hard” shoreline stabilization methods like stone sills or bulkheads, and provide numerous ecological benefits including water quality improvements; floodplain restoration would also improve water quality because floodplains, when inundated with water, act as natural filters by removing excess sediment and nutrients.

- Routine O&M activities for restoration projects permitted under the Order could consist of periodic and routine work such as removing sediment within or near the facilities (e.g., culverts, fish screens and ladders), removing vegetation (e.g., invasive species in aquatic or riparian areas), and inspecting and maintaining facilities and natural features (e.g., replanting trees and shrubs, repairing biotechnical and other features). Routine O&M activities would be similar to those described for construction; however, the level of activity would be less intense during the O&M phase than during construction, so the degree of temporary changes to water quality would be much less. As described above, the Order does not promote the construction or implementation of individual restoration projects, nor does it describe the specific size, location, implementation timing, or exact configuration of such projects. Because the potential exists for adverse impacts on water quality as a result of the maintenance of restoration projects permitted under the Order, this impact would be potentially significant. However, restoration projects would incorporate general protection measures (listed above under Effects of Project Construction Activities) that would reduce impacts from O&M activities on water quality. Implementing these general protection measures would reduce impacts from O&M activities on water quality to a less-than-significant level.
- Impact 3.6-1: Implementing future restoration projects permitted under the Order could adversely affect special-status fish species directly, or indirectly through habitat modifications.

REPORTING AND NOTIFICATION REQUIREMENTS

The Permittee shall follow notification and reporting requirements described in this Notice of Applicability (NOA), and those found in Attachment D of the Order WQ 2022-0048-DWQ, unless specified as an optional requirement and excluded from this NOA.

1. Annual Reporting

The Permittee shall submit an Annual Report each year within one month of the anniversary of the effective date of this Notice of Applicability. Annual reporting shall continue until the active discharge period is complete and the project enters the post-construction monitoring phase where upon the Permittee shall annually submit a Post-Construction Monitoring Report (Report Type 2) The Post-Construction Monitoring Report shall be submitted on the anniversary of the date that the project restoration activities were completed.

The Annual Report and Post Construction Monitoring Report shall include the information specified in Attachment D, Part A of Order No. WQ 2022-0048-DWQ. The Permittee shall submit the report in accordance with the report submittal instructions in Attachment D of Order No. WQ 2022-0048-DWQ and email it to

centralvalleysacramento@waterboards.ca.gov and cc Sara Gevorgyan at Sara.Gevorgyan@waterboards.ca.gov.

2. Notification for In-Water Work and Diversions

The project proponent shall notify the Water Board at least forty-eight (48) hours prior to initiating work in flowing or standing water or stream diversions. Notification may be via e-mail, delivered written notice, or other verifiable means. Within three (3) working days following completion of work in water or stream diversions, an In-Water Work and Diversions Water Quality Monitoring Report must be submitted to the Water Board.

3. Water Quality Monitoring Plan for In-Water Work or Diversions

A Water Quality Monitoring Plan shall be submitted to the approving Water Board for acceptance at least thirty (30) days in advance of commencement of project activity. Standards for in-water work or diversions are discussed in General In-Water Measures, specifically IWW-6, presented in Attachment A. The Permittee shall comply with the approving Water Board-specific water quality control plan water quality objectives and reporting requirements.

4. Environmental Monitoring

Per General Protection Measure 5 (GPM-5) of the Order, a resource specialist shall ensure that all applicable protective measures are implemented during project construction. The resource specialist shall have the authority to stop any work if they determine that any permit requirement is not fully implemented. The resource specialist shall prepare and maintain a monitoring log of construction site conditions and observations, which will be kept on file.

ADDITIONAL CONDITION:

1. 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.

NOTICE OF COMPLETION:

Upon completion of the Project, you shall submit a Notice of Completion (NOC) no later than 30 days after Project completion. The NOC shall demonstrate the Project was carried out in accordance with the Project description, include a map of the Project location with final boundaries of the restoration area, and include post-project photographs. More information on the NOC is listed in section B.6 of the Order.

If you have questions concerning this matter, please contact Sara Gevorgyan by phone at (916) 464-4710 or by email at Sara.Gevorgyan@waterboards.ca.gov.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

Attachments: Figure 1: Location Map
Figure 2: Site Map

cc: Distribution List (via email only)

Jeffrey H. Wang (SPK-2024-00727)
United States Army Corps of Engineers
Sacramento District Office
Regulatory Division
SPKRegulatoryMailbox@usace.army.mil
Jeffrey.H.Wang@usace.army.mil

Department of Fish and Wildlife, Region 2
R2LSA@wildlife.ca.gov

United States Environmental Protection Agency
R9CWA401@epa.gov

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

Richard McHenry
CA Sportfishing Protection Alliance
RMcHenry@calsport.org

Eva R. Leavitt
East Bay Regional Parks District
ERLeavitt@ebparks.org

Abigail Fateman
Contra Costa County
Abigail.Fateman@dcd.cccounty.us

Figure 1: Location Map



Figure 2: Site Map

