

## Central Valley Regional Water Quality Control Board

26 November 2014

Sam Worden  
Development Solutions EE, LLC  
890 Saratoga Avenue, Suite 2010  
Saratoga, CA 95129

### NOTICE OF APPLICABILITY

#### **WATER QUALITY ORDER 2003-0003-DWQ, STATEWIDE WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES TO LAND WITH A LOW THREAT TO WATER QUALITY, DEVELOPMENT SOLUTIONS EE, LLC, CONSTRUCTION DEWATERING FOR EVANS ESTATES/HEARTLAND MEADOWS SUBDIVISION DEVELOPMENT PROJECT, SAN JOAQUIN COUNTY**

On 4 November 2014, Development Solutions EE LLC (Discharger), submitted a Notice of Intent (NOI) to obtain coverage under Water Quality Order No. 2003-0003-DWQ, Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality (hereafter General Order) for construction dewatering at the above-referenced site. The submittal along with email correspondences with the Discharger's consultant between 13 August 2013 and 7 October 2014, contains all the information required to evaluate applicability of the General Order; therefore, the NOI is considered complete. Based on the information provided in the NOI, the discharge meets the conditions of the General Order. The discharge is hereby covered under State Water Resources Control Board General Order 2003-0003-DWQ-0127. Please include this number on all correspondence related to this discharge.

#### **PROJECT LOCATION**

Evans Estates/Heartland Meadows is a residential subdivision project that will convert approximately 160 acres of agricultural land into a residential community. The project is located in the southern portion of Manteca and bounded by existing residential developments to the north (including Mission Garden, Emerald Glen, Woodward Park, and Jasmine Hollow), Pillsbury Estates to the east, S. Main Street (formerly Manteca Road) to the west, and agricultural land to the south. The project is located in the central portion of San Joaquin County; Section 16, Township 2 South, Range 7.5 East of Mount Diablo B&M. The development is on level ground at an average elevation of 40 feet above mean sea level (msl). The nearest existing surface water drainage within the project area consists of nearby agricultural ditches that divide agricultural fields and the Walthall Slough, located approximately one mile to the west.

A Final Environmental Impact Report for the Evans Estates-Pillsbury Estates Project (State Clearinghouse Number 2007112019) was certified by the San Joaquin County Local Agency Formation Commission on 9 April 2010. The project will consist of constructing a 587 unit single-family residential subdivision, a 7.19-acre park/storm water detention basin, roadways, and landscaping. All construction activities will be conducted within the 160 acre development, which is currently owned by Development Solutions EE LLC.

The Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition, revised October 2011 (hereafter Basin Plan), designates beneficial uses, establishes water quality objectives, contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Water Resources Control Board. Pursuant to §13263(a) of the California Water Code (CWC), waste discharge requirements must implement the Basin Plan.

## **PROJECT DESCRIPTION**

Initial site development is currently scheduled to begin in early 2015 and will include construction of roadways, underground utilities, a permanent storm drain basin, a park, and storm water basin. Dewatering is anticipated to occur during an eight week period during the initial phase of construction, which will include the excavation and installation of underground utilities along the main corridor access roads within the development. Development Solutions EE LLC will direct the initial phase of development and then sell the subsequent phases to other developers, who will each need to file their own Notice of Intent for coverage under the General Order.

Excavation activities for the installation of underground utilities are expected to encounter groundwater at depths between 8 to 10 feet below ground surface (bgs). A series of shallow extraction wells will be installed and pumped to maintain adequate drawdown during the installation of underground utilities. Dewatering is estimated to not exceed 50,000 gallons per day. Percolation testing was conducted within the planned development in February 2005. Percolation rates ranged from 51 to 81 gallons per square foot per day (gal/ft<sup>2</sup>/day).

Extracted groundwater will be discharged into one of three on-site temporary percolation basins where the water will not be treated or neutralized. The temporary percolation basins will consist of future residential lots surrounding the roadways where underground utilities will be installed and will be bermed to prevent runoff. The temporary percolation basins will include two 20-acre areas and one 50 acre area. Temporary percolation basin dimensions will offer approximately 1.7 to 4.4 million gallons of storage capacity, which should be sufficient for the dewatering project.

Land use surrounding the development project currently consists of residential developments, orchards, and agricultural land. The temporary percolation basins will be monitored regularly. If any of the percolation basins approach their designed storage capacity, the Discharger will provide additional temporary water containment until the water can be utilized as part of planned construction activities and to prevent over-flow conditions.

## **FACILITY-SPECIFIC REQUIREMENTS**

The General Order and this Notice of Applicability (NOA) regulates construction dewatering and reuse of the treated water at the Evans Estates Heartland Meadows Project.

1. Water generated during construction dewatering shall be disposed of as described in the Notice of Intent and in accordance with the requirements contained in the General Order.
2. Construction dewatering discharge at a location or in a manner different from that described in the Notice of Intent or this Notice of Applicability is prohibited.
3. All technical reports required herein that involve evaluation, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, section 6735, 7835, and 7835.1. As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered

- professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
4. Monitoring results shall be submitted on a semi-annual basis in accordance with the General Order's Monitoring and Reporting Program.
  5. The Discharger shall submit the required annual fee (as specified in the annual billing issued by the State Water Resources Control Board) until the Notice of Applicability is officially terminated.
  6. Failure to abide by the conditions of the General Order, including its monitoring and reporting requirements, and this letter authorizing applicability could result in enforcement actions, as authorized by provisions of the California Water Code.

Please review this NOA carefully to ensure that it completely and accurately reflects the proposed facility and discharge. If the Discharger violates the terms or conditions of the General Order, the Central Valley Water Board may take enforcement action, including assessment of administrative civil liability. Failure to comply with the requirements in the Order could result in an enforcement action as authorized by provisions of the California Water Code. Discharge of wastes other than those described in the NOI is prohibited.

Development Solutions EE LLC will generate the waste subject to the terms and conditions of the General Order and will maintain exclusive control over the discharge. As such, Development Solutions EE LLC is primarily responsible for compliance with the General Order. As required under Standard Provision E.6 of the General Order:

*"In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the discharger, the discharger shall notify the succeeding owner or operator of the existence of these General WDRs by letter, a copy of which shall be immediately forwarded to the appropriate Regional Board office. The discharger shall also submit a Notice of Termination (Attachment No. 4 to these General WDRs) to the appropriate Regional Board."*

The required annual fee specified in the annual billing from the State Water Board shall be paid until this NOA is officially terminated. You must notify this office in writing if the discharge regulated by this Order ceases so that coverage under the General Order can be terminated and to avoid unnecessary billing.

Please note that all letters, documents, and other materials that you would normally submit to us as hard copies must now be submitted in a searchable Portable Document Format (PDF). Documents that are less than 50 MB should be emailed to: [centralvalleysacramento@waterboards.ca.gov](mailto:centralvalleysacramento@waterboards.ca.gov)

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to "ECM Mailroom" at the letterhead address provided on this letter. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any correspondence used to transmit documents to this office:

Regulated Entity: Development Solutions EE, LLC	County: San Joaquin
Regulatory Program: Non-15	Order: 2003-0003-DWQ-0127

Upon issuance of this Notice of Applicability, the Central Valley Water Board's Compliance and Enforcement section will take over management of this case. Brendan Kenny is your new point of contact for any questions about this Order. In addition, all monitoring and technical reports should be submitted to him. The enclosed transmittal sheet shall be included with each monitoring report. If you find it necessary to make a change to your permitted operations as described in this NOA, Mr. Kenny will direct you to the appropriate Permitting staff. You may contact Mr. Kenny at (916) 464-4635 or at [bkenny@waterboards.ca.gov](mailto:bkenny@waterboards.ca.gov).

*Original signed by Adam Laputz for:*

PAMELA C. CREEDON  
Executive Officer

Enclosures: Water Quality Order No. 2003-0003-DWQ  
Monitoring Report Transmittal Form

cc: Rodney Estrada, San Joaquin County Environmental Health Department, Stockton  
Jennifer Botelho, ENGEO, Rocklin