



Central Valley Regional Water Quality Control Board

19 October 2023

Larry Gray
Director of Land Improvements
Signature Homes Inc.
4670 Willow Road, Suite 200
Pleasanton, CA 94588

VIA EMAIL
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AMENDED NOTICE OF APPLICABILITY (NOA); GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2022-0006-01 FOR LIMITED THREAT DISCHARGES TO SURFACE WATER; SIGNATURE HOMES INC., DELTA SHORES PROJECT, SACRAMENTO COUNTY

Our office received a Notice of Intent on 24 July 2023 from Signature Homes Inc. (hereinafter Discharger), for discharge of treated groundwater to surface water for the Delta Shores Project (Project). Based on the application packet and subsequent information submitted by the Discharger, staff has determined that the Project meets the required conditions for approval under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order), Groundwater Source (Table I-1). This Project is hereby assigned Limited Threat General Order R5-2022-0006-024-01 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference your Limited Threat General Order number, **R5-2022-0006-024-01**, in your correspondence and submitted documents.

The Project activities shall be operated in accordance with the requirements contained in the Limited Threat General Order and as specified in this NOA. You are urged to familiarize yourself with the entire contents of the enclosed [Limited Threat General Order](#) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2022-0006-01.pdf).

CALIFORNIA TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING

The Limited Threat General Order incorporates the requirements of the California Toxics Rule (CTR) and the State Water Resources Control Board's (State Water Board), *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, 2005, also known as the State Implementation Policy (SIP). Screening levels for CTR constituents and other constituents of concern are found in Attachment I of the Limited Threat General Order. Review of your water quality data in comparison to the screening values, showed reasonable potential for the discharge to cause or contribute to an exceedance of Total

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

Suspended Solids (TSS), Turbidity, Aluminum, Arsenic, and Mercury water quality objectives in the Sacramento River within the Delta Waterways (northern portion), which is a water of the United States. However, the proposed treatment system addresses the water quality concern by reducing constituent(s) concentrations below water quality objectives; therefore, the Project qualifies for the Limited Threat General Order.

The original NOA for this Project (R5-2022-0006-024) erroneously included monitoring requirements and effluent limitations for iron and manganese. Including these provisions in the NOA for the Project was inconsistent with the terms of the Limited Threat General Order. (See R5-2022-0006-01, Att. D, D-33 to D-34 & Att. I, I-2, Table I-1, Note 5.) Pursuant to the terms of the Limited Threat General Order, monitoring requirements and effluent limitations for iron and manganese are not applicable to this Project and have been removed in this amended NOA. Any monitoring results for discharges prior to the date of this amended NOA that show exceedances of previous NOA effluent limitations for iron or manganese will not be considered a permit violation.

PROJECT DESCRIPTION

The Project is a 120 acre, master planned community with residential, educational, and mixed-use features in Sacramento California. The project is located to the southeast of Cosumnes River Blvd. & Delta Shores Circle South in Sacramento, Sacramento County, California (Attachment A). The project site is located approximately 0.48 miles west of Interstate 5 and 3.15 miles southwest of highway 99. The project has an active Construction General Permit (WDID# 5S34C394089). Dewatering activities are necessary to complete the installation of the 8" gravity and 4" force main sewer portion of site improvements. This sewer installation area will encounter high groundwater, which will need to be removed for the pipelines to be installed. Groundwater will be removed by the installation of on-site dewatering wells, as well as along the alignment near lift station 88 (off-site portion). All removed groundwater will be pumped to on-site settling tank(s) and filters (as necessary) prior to discharge into the on-site Storm Drain Manholes (SDMH) that is connected to the City of Sacramento MS4 system; specifically, to SDMH #30 or storm drain inlet #26 located at Delta Shores Avenue and Watershed Street.

The groundwater has been tested and found to contain Total Suspended Solids (TSS), Aluminum, Arsenic, and Mercury that must be treated prior to discharge. The treatment system begins with dewatering wells and small 6,000 gallon settling tanks that transfer water to (2) 20,000 gallon storage tanks for heavy solids settling. Water is pumped from the settling tanks through a 4-pod sand filtration unit, and a bag filtration system equipped with 10-micron filter bags. Water then flows through a heavy metal and arsenic clay based filter. This system is designed to remove sediment, arsenic, and trace heavy metals. Additional Filtration media can be added at any stage to target specific constituents. A test of the system prior to discharge showed that the treatment system reduces the concentrations of all constituents of concern to levels lower than the effluent limitations in Table 1.

The discharge is expected to last approximately 3 months beginning in August 2023. The discharge flow rates are estimated to be a maximum of 650 gallons-per-day (GPD). Discharge flows to the existing storm drain system at Delta Shores Circle South. From Delta Shores Circle South the discharge will enter the existing Water Quality Basin located on the south side of the existing road and into Morrison Creek. During low flows, Morrison Creek drains directly into the Sacramento River at a location 1.5 miles south of the project. During high flows, Morrison Creek will discharge into the Stone Lakes National Wildlife Refuge and eventually into the Sacramento River, at a location 16 miles south of the project. Morrison Creek is the initial receiving water body and the Sacramento River within the Delta Waterways (Northern Portion) is the major downstream water body at both the 1.5-miles south location and the 16-miles south location.

DISCHARGE PROHIBITIONS

Discharge prohibitions are specified in Section IV Discharge Prohibitions of the Limited Threat General Order. Based on the information provided in the NOI, the following discharge prohibitions are applicable to this discharge:

- Prohibition IV.A
- Prohibition IV.B
- Prohibition IV.C
- Prohibition IV.D. The flow rate shall not exceed 1 MGD.

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. Effluent Limitations and Discharge Specifications of the Limited Threat General Order. Based on the information provided in the NOI, effluent limitations are only required for the parameter identified in items 1-5, below:

1. **pH (Section V.A.1.b.i).** The pH of all limited threat discharges within the Sacramento and San Joaquin River Basins (except Goose Lake in Modoc County) shall at all times be within the range of 6.5 and 8.5.
2. **Whole Effluent Toxicity, Chronic (Section V.A.2.a).** There shall be no chronic toxicity in the discharge.
3. **Whole Effluent Toxicity, Acute (Section V.A.3.a).** Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:
 - i. 70%, minimum for any one bioassay; and
 - ii. 90%, median for any three consecutive bioassays
4. **Temperature.** For discharges within the legal boundaries of the Sacramento-San Joaquin Delta, the maximum temperature of the discharge shall not exceed the natural receiving water temperature by more than 4°Fahrenheit (°F).

5. Diazinon and Chlorpyrifos. For water bodies as specified in Table 3-4 of the Basin Plan for the Sacramento and San Joaquin River Basin, effluent diazinon and chlorpyrifos concentrations shall not exceed the sum of one (1.0) as identified below:

- i. Average Monthly Effluent Limitation (AMEL)
 $SAMEL = CD\ M\text{-avg}/0.079 + CC\ M\text{-avg}/0.012 \leq 1.0$
 CD M-AVG = average monthly diazinon effluent concentration in µg/L
 CC M-AVG = average monthly chlorpyrifos effluent concentration in µg/L
- ii. Maximum Daily Effluent Limitation (MDEL)
 $SAWEL = CD\ W\text{-avg}/0.16 + CC\ W\text{-avg}/0.025 \leq 1.0$
 CD W-AVG = average weekly diazinon effluent concentration in µg/L
 CC W-AVG = average weekly chlorpyrifos effluent concentration in µg/L

6. Constituents and Parameters of Concern (Section V.A.1.e). The following constituents and parameters in Table 1 below have been identified as having reasonable potential to cause or contribute to an in-stream excursion from water quality objectives and shall not exceed the effluent limitations as listed.

Table 1. Effluent Limitations for Constituents and Parameters of Concern

Parameter	Units	Average Monthly Effluent Limitations	Maximum Daily Effluent Limitations	Parameters
Total Suspended Solids (TSS)	mg/L	10	20	V.B.1.a
Aluminum, Total Recoverable	ug/L	310	620	V.A.1.e
Arsenic, Total Recoverable	ug/L	10	20	V.A.1.f
Mercury, Total Recoverable	ug/L	0.05	0.05	V.A.1.f

The Sacramento River within the Delta Waterways) Northern Portion) is listed for Diazinon, Chlorpyrifos, and Mercury on the Clean Water Act 303(d) List of impaired water bodies. A Total Maximum Daily Load (TMDL) has been established for Receiving Water. Therefore, additional 303(d) based effluent limitations or monitoring requirements for Diazinon and Chlorpyrifos are included in this NOA (R5-2022-0006-024-01).

RECEIVING WATER LIMITATIONS

The Limited Threat General Order includes receiving surface water limitations in Section VIII.A. Based on the information provided in the NOI, only the following receiving surface water limitations are applicable to this discharge:

- Bacteria (VIII.A.2);
- Biostimulatory substances (VIII.A.3);
- Chemical constituents (VIII.A.4);
- Color (VIII.A.5);
- Dissolved oxygen (VIII.A.6.b.i);
- Floating material (VIII.A.7);
- Oil and grease (VIII.A.8);
- pH (VIII.A.9.a);
- Pesticides ((VIII.A.10);
- Radioactivity (VIII.A.11);
- Suspended sediments (VIII.A.12);
- Settleable substances (VIII.A.13);
- Suspended material (VIII.A.14);
- Taste and odors (VIII.A.15);
- Temperature (VIII.A.16.b);
- Toxicity (VIII.A.17); and
- Turbidity (VIII.A.18.a).

MONITORING AND REPORTING

Monitoring and reporting requirements are contained in Attachment C of the Limited Threat General Order. The Discharger is required to comply with the following specific monitoring and reporting requirements for the effluent in accordance with Attachment C of the Limited Threat General Order.

Monitoring Locations – The Discharger shall monitor the effluent at the specified location as follows:

Table 2. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	A location where a representative sample of the effluent can be collected prior to discharging to City of Sacramento Storm Drain.

Effluent Monitoring – When discharging to surface water, the Discharger shall monitor the effluent at EFF-001 in accordance with Table C-3 of the Limited Threat General Order and this NOA. The applicable monitoring requirements are as follows in Table 3 and subsequent Table 3 Notes:

Table 3. Effluent Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Discharge Flow Rate	MGD	Calculated	1/Day
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	1/Day
pH	standard units	Grab	1/Day
Turbidity	NTU	Grab	1/Day
Temperature	°F	Grab	1/Day
Total Suspended Solids (TSS)	mg/L	Grab	2/Month
Aluminum, Total Recoverable	ug/L		2/Month
Arsenic, Total Recoverable	ug/L		2/Month
Mercury, Total Recoverable	ug/L		2/Month
Chronic Toxicity	--	Grab	1/Project Term

Table 3 Notes

- 1. Electrical conductivity, pH, turbidity, temperature, and DO.** A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
- 2. All parameters, except flow.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
- 3. Chronic toxicity.** Chronic toxicity testing shall be conducted within 3 months of initiation of discharge. See the Monitoring and Reporting Program (Attachment C) for toxicity monitoring requirements.

Receiving Water Monitoring - Not required. The Project discharges directly to the City of Sacramento Storm Drain System which has multiple inputs before reaching Morrison Creek and eventually the Sacramento River. Therefore, receiving water monitoring in Morrison Creek would not provide sufficient information to evaluate compliance with the receiving water limitations. Where feasible, compliance with the receiving water limitations will be evaluated through monitoring of the effluent.

Monitoring Report Submittals - Monitoring in accordance with the Limited Threat General Order shall begin upon initiation of discharge. Monitoring Reports shall be submitted to the Central Valley Water Board on a quarterly basis, beginning with the **Third Quarter 2023**. This report shall be submitted on **1 November 2023**. All Monitoring Reports shall specify the dates during the monitoring period the discharge did or did not occur. If monitoring samples were not obtained within 24 hours of initiation of the discharge, the Discharger must document the reasons in the corresponding Monitoring Report. If treatment and discharge has not begun there is no need to monitor. However, a certified Monitoring Report must be submitted stating that there has been no discharge. Table 5, below, summarizes the Monitoring Report due dates

required under the Limited Threat General Order. Quarterly Monitoring Reports must be submitted until your coverage is formally terminated in accordance with the Limited Threat General Order, even if there is no discharge during the reporting quarter.

Table 5. Monitoring Periods and Reporting Schedule

Monitoring Period for All Sampling Frequencies	Quarterly Report Due Date
First Quarter (1 January through 31 March)	1 May
Second Quarter (1 April through 30 June)	1 August
Third Quarter (1 July through 30 September)	1 November
Fourth Quarter (1 October through 31 December)	1 February of the following year

GENERAL INFORMATION AND REQUIREMENTS

The Discharger must notify Central Valley Water Board staff within 24 hours of having knowledge of 1) the start of each new discharge, 2) noncompliance, and 3) when the discharge ceases. The Central Valley Water Board shall be notified immediately if any effluent limit violation is observed during implementation of the project.

Discharge of material other than what is described in the application is prohibited. The required annual fee (as specified in the annual invoice you will receive from the State Water Resources Control Board) shall be submitted until this NOA is officially terminated. You must notify this office in writing when the discharge regulated by the Limited Threat General Order is no longer necessary by submitting the Request for Termination of Coverage (Attachment E). If a timely written request is not received, the Discharger will be required to pay additional annual fees as determined by the State Water Resources Control Board.

ENFORCEMENT

Failure to comply with the Limited Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations are subject to a Mandatory

Minimum Penalty (MMP) of \$3,000 per violation. In addition, late Monitoring Reports may be subject to MMPs or discretionary penalties of up to \$1,000 per day late. When discharges do not occur during a quarterly monitoring period, the Discharger must still submit a quarterly certified Monitoring Report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

We have transitioned to a paperless office; therefore, please convert all documents to a searchable Portable Document Format (pdf). All documents, including Monitoring Reports, written notifications, and documents submitted to comply with this NOA and the Limited Threat General Order, should be submitted to the NPDES Compliance and Enforcement Unit, Attention: Paul Wadding at

centralvalleysacramento@waterboards.ca.gov and paul.wadding@waterboards.ca.gov.
Mr. Wadding may also be reached by phone at (916) 464-4826.

Please include the following information in the body of the email:

- Attention: NPDES Compliance Unit
- Discharger: Signature Homes Inc.
- Facility: Delta Shores
- County: Sacramento County
- CIWQS place ID: 769465

Documents that are 50 megabytes or larger must be transferred to a DVD, or flash drive and mailed to our office, attention "ECM Mailroom-NPDES".

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 Order 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 [Petitions Home Page](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) (http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

Patrick Pulupa, Executive Officer

Enclosures (2): Attachment A - Project Location Map
Monitoring Report Transmittal Form (Discharger only)

cc: Elizabeth Sablad, U.S. EPA, Region IX, San Francisco (email only)
Peter Kozelka, U.S. EPA, Region IX, San Francisco (email only)
Prasad Gullapalli, U.S. EPA Region IX, San Francisco (email only)
Division of Water Quality, State Water Board, Sacramento (email only)
Sarah Torres, PG Environmental, Chantilly, Virginia (via email)

ATTACHMENT A – PROJECT LOCATION MAP



