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## Central Valley Regional Water Quality Control Board

05 June 2025

Clifton Taylor  
Vice President  
JEN California 27, LLC  
1478 Stone Point Drive, Suite 100  
Roseville, CA 95661

VIA EMAIL  
STEVE@TAYLOR-BUILDERS.COM

### **NOTICE OF APPLICABILITY (NOA); GENERAL WASTE DISCHARGE REQUIREMENTS R5-2022-0006-03 FOR LIMITED THREAT DISCHARGES TO SURFACE WATER; JEN CALIFORNIA 27, LLC, DELTA SHORES NORTH, OFFSITE SEWER IMPROVEMENTS PROJECT, SACRAMENTO COUNTY**

Our office received a Notice of Intent (NOI) on 30 January 2025 from JEN California 27, LLC (hereinafter Discharger), for discharge of treated groundwater to surface water, for enrollment under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order) R5-2022-0006-03. Based on the NOI and subsequent information submitted by the Discharger, staff has determined that the project meets the required conditions for approval under the Limited Threat General Order, as a groundwater source project. This project is hereby assigned Limited Threat General Order R5-2022-0006-038 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference your Limited Threat General Order number, **R5-2022-0006-038**, 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/r5-2022-0006-03_amended.pdf) ([https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2022-0006-03\\_amended.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2022-0006-03_amended.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

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NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

Aluminum, Arsenic, Iron, Manganese, Electrical Conductivity (EC), Total Suspended Solids (TSS), and Turbidity water quality objectives in the Sacramento River, 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.

## **PROJECT DESCRIPTION**

Delta Shores North is a master-planned residential development site located east of Highway 5 and north of Cosumnes River Boulevard in Sacramento, California, as shown in Attachment A. This NOI covers the proposed dewatering and discharge activities associated with the off-site sewer improvements for Delta Shores North located west of Morrison Creek. Off-site sewer improvements consist of new sewer force mains along Cosumnes River Boulevard and Delta Shores Circle South, as well as a new sewer lift station located southwest of the intersection of Consumnes River Boulevard and Delta Shores Circle South, shown in Attachment A.

Due to the relatively shallow depth of groundwater in the project vicinity, construction dewatering will be necessary during proposed off-site sewer improvements. Discharge to the wastewater treatment plant, land and underground injection are not viable. Groundwater extracted through the dewatering wells will be pumped to a treatment system prior to discharge. The treatment system consists of three 18,000 influent gravity sedimentation tanks, followed by chlorine, iron oxide hydroxide and polymer injections and four chemical sedimentation tanks. Following sedimentation, a series of filtration steps will occur. Prefiltration by sand filters and bag filters will occur before a train of specialty media bag filters. Sand filtration will be performed by two filtration units each with independent backwash features. Bag filtration will be performed by two bag filters housing containing six 10-micron filters each of specialty media targeted to remove remaining trace metals and added chlorine from the treatment process. The treatment system is designed to accommodate additional filtration media at any of the key stages noted above to target specific constituents based on water quality monitoring data obtained during the dewatering and treatment activities.

Treated groundwater will be discharged via a series of temporary pipes and pumps to the existing City of Sacramento (City) storm drain inlet located immediately adjacent to the proposed lift station location on the eastern side of Delta Shores Circle South. The Discharger has obtained permission from the City of Sacramento to use the storm drain inlet for discharge. The existing storm drain system at Delta Shores Circle South outfalls to Morrison Creek, which drains directly to the Sacramento River. Construction dewatering activities are planned to begin April 2025 and continue for approximately 6 months. Dewatering is estimated to produce up to approximately 1.0 million gallons per day (MGD) during the initial drawdown and an average of 0.7 MGD thereafter.

## **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 1.2 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 1-6, 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 20°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)  
$$\text{SAMEL} = \text{CD M-avg}/0.079 + \text{CC M-avg}/0.012 \leq 1.0$$
  
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)  
$$\text{SAWEL} = \text{CD W-avg}/0.16 + \text{CC W-avg}/0.025 \leq 1.0$$
  
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	Section Reference
Aluminum	µg/L	310	620	V.A.1.e
Arsenic	µg/L	10	20	V.A.1.f
Total Suspended Solids	mg/L	10	20	V.B.1.a

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 the Receiving Water. Therefore, additional 303(d) based effluent limitations or monitoring requirements for Diazinon and Chlorpyrifos are included in this NOA (R5-2022-0006-038).

### 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).

### SPECIAL PROVISIONS

The Limited Threat General Order contains Provisions in Section IX.C. Based on information provided in the NOI the following site-specific special provisions are applicable to the Project.

***Salinity Evaluation and Minimization Plan*** – The Limited Threat General Order in Section IX.C.3.c requires Dischargers with projects greater than or equal to 180 days in

duration to submit and implement a Salinity Evaluation and Minimization Plan to identify and address sources of salinity discharged from the Facility. The Limited Threat General Order allows under limited circumstances to waive this requirement, such as for construction dewatering project where salinity is naturally high. Therefore, best management practices through implementation of a Salinity Evaluation and Minimization Plan are necessary to manage salinity levels. A Salinity Evaluation and Minimization Plan shall be submitted by **1 April 2026**.

For enrollees under the Salinity Control Program's Alternative Salinity Permitting Approach, Table 16 of the Limited Threat General Order includes performance-based electrical conductivity (EC) triggers to be included in the NOA to ensure the Salinity Evaluation and Minimization Plan is effective. The Discharge submitted a Notice of Intent for the Salinity Control Program in January 2025 indicating its intent to comply with the Alternative Salinity Permitting Approach and participate in the CV-SALTS Prioritization and Optimization Study. Based on effluent EC data from January 2025, the effluent concentration for EC was 2,000  $\mu\text{mhos/cm}$ , which results in an annual average **EC effluent trigger of 2,900  $\mu\text{mhos/cm}$**  per Table 16 of the Limited Threat General Order. If the calendar annual average effluent EC exceeds 2,900  $\mu\text{mhos/cm}$ , the Salinity Evaluation and Minimization Plan shall be reviewed and updated. The updated Salinity Evaluation and Minimization Plan shall be submitted by 1 April following the calendar year in which the electrical conductivity concentration exceeded the trigger

## 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/Week
pH	standard units	Grab	1/Week
Turbidity	NTU	Grab	1/Week
Temperature	°F	Grab	1/Week
Dissolved Oxygen (DO)	mg/L	Grab	1/Week
Total Suspended Solids (TSS)	mg/L	Grab	2/Month
Aluminum	µg/L	Grab	2/Month
Arsenic	µg/L	Grab	2/Month
Iron	µg/L	Grab	1/Month
Manganese	µg/L	Grab	1/Month
Chlorine Residual	µg/L	Grab	1/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, Section V) for toxicity monitoring requirements.
4. **Aluminum, Iron, and Manganese.** Results can be evaluated from samples that have been passed through a 1.5-micron filter to evaluate compliance with the Secondary MCL criteria.

**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

**Second Quarter 2025.** This report shall be submitted on **1 August 2025**. 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 4. Monitoring Periods and Reporting Schedule**

<b>Monitoring Period for All Sampling Frequencies</b>	<b>Quarterly Report Due Date</b>
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](mailto:centralvalleysacramento@waterboards.ca.gov) and [paul.wadding@waterboards.ca.gov](mailto: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: JEN California 27, LLC
- Facility: Delta Shores North, Offsite Sewer Improvements
- County: Sacramento County
- CIWQS place ID: 900597

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](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:                      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)



## ATTACHMENT A – PROJECT LOCATION MAP

