



---

## Central Valley Regional Water Quality Control Board

10 October 2022

Charlotte M. Kyle  
Brookfield Sunset, LLC  
2271 Lava Ridge Court, Suite 220  
Roseville, CA 95661  
[Charlotte.kyle@brookfieldpropertiesdevelopment.com](mailto:Charlotte.kyle@brookfieldpropertiesdevelopment.com)

**NOTICE OF APPLICABILITY FOR COVERAGE UNDER GENERAL ORDER NO. R5-2020-0048, WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION OF THE WESTERN PLACER COUNTY HABITAT CONSERVATION PLAN PROGRAMMATIC GENERAL PERMIT, AMORUSO PRESERVE RESTORATION PROJECT (WDID#5A31CR00534-014), PLACER COUNTY**

On 12 August 2022, Brookfield Sunset, LLC (Permittee) 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 R5-2020-0048, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the Western Placer County Habitat Conservation Plan Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the Amoruso Preserve Restoration Project (Project) meets the eligibility requirements of, and is hereby enrolled under, General Order R5-2020-0048. You may proceed with your Project in accordance with the Order.

A copy of General Order R5-2020-0048 can be found on the [Central Valley Water Board's Adopted Orders webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5a31cr00534.pdf) ([https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/401\\_wq\\_certs/5a31cr00534.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5a31cr00534.pdf)).

Please familiarize yourself with the requirements of General Order R5-2020-0048. You are responsible for complying with all applicable Order requirements. Failure to comply with General Order R5-2020-0048 constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

**PROJECT DESCRIPTION:**

The 0.035-acre Project consists of restoring a 61 square foot seasonal wetland located in the Amoruso Preserve that has been damaged by a natural erosional feature. The project will repair the erosional feature by removing debris and/or loose soil from the

project area, and then backfilling the erosional feature. Native soil may be used as backfill provided it is processed to remove concentrations of organic material, debris, and particles greater than 8 inches in maximum dimension. Backfill will be moisture-conditioned to at least one percentage point above the optimum moisture content. Disturbed areas will be planted with native vegetation, and a suitable erosion control blanket will be applied to the finished soil surface where needed.

Filling the erosional feature will restore the seasonal wetland to pre-erosional conditions and prevent any further degradation that would be caused from future erosion. Monitoring will be conducted for at least two years to assess the condition of the wetland. If the results of monitoring indicate that the seasonal wetland is not on track to meet performance standards, remedial actions will be taken based on the analysis of cause(s) of failure.

Project elements that affect aquatic resources include backfilling the erosion area that is located on the west side of the seasonal wetland. The Project will temporarily impact 0.022 acre of seasonal wetland. Temporarily impacted areas will be restored to pre-Project condition.

**PROJECT TYPE:**

Ecological Aquatic/Stream Habitat Restoration

**PROJECT LOCATION:**

The Project is located south of Sunset Boulevard West, north of Blue Oaks Drive, and west of Fiddymment Road in the Amoruso Preserve in Placer County.

Section 11, Township 11 North, Range 5 East, MDB&M

Latitude: 38.812588° and Longitude: -121.395442

**PROJECT SCHEDULE:**

The Project will take place in October 2022 within a work window approved by Placer County.

**PUBLIC NOTICE**

The Central Valley Regional Water Quality Control Board (State Water Board) provided public notice of the application from 16 September 2022 to 7 October 2022. The Central Valley Water Board did not receive any comments during the comment period.

**COMPENSATORY MITIGATION**

No compensatory mitigation is required for temporary impacts.

**APPLICATION FEE RECEIVED:**

An application fee of \$ 645.00 was received on 16 September 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 D – Ecological Restoration and Enhancement Projects (fee code 85) with the dredge and fill fee calculator.

**PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:**

The applicant will adhere to all applicable avoidance and minimization measures (AMM's) as designated by the PCCP, in addition to the AMM's mentioned in Attachment 8 of the PCCP CARP Application.

**WATER QUALITY MONITORING:**

No water quality monitoring is required if the work is performed in naturally dry conditions

**PETITIONS FOR RECONSIDERATION**

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 NOA 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 Water Quality Petitions 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."

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

*Original Signed by Adam Laputz for:*  
Patrick Pulupa  
Executive Officer

cc: [Via email only]

Michael S. Jewell (SPK-2005- 00485)  
United States Army Corps of Engineers  
Sacramento District Office  
Regulatory Division  
[SPKRegulatoryMailbox@usace.army.mil](mailto:SPKRegulatoryMailbox@usace.army.mil)

United States Environmental Protection  
Agency  
[R9CWA401@epa.gov](mailto:R9CWA401@epa.gov)

CWA Section 401 WQC Program  
State Water Resources Control Board  
[Stateboard401@waterboards.ca.gov](mailto:Stateboard401@waterboards.ca.gov)

Bill Jennings  
CA Sportfishing Protection Alliance  
[DeltaKeep@me.com](mailto:DeltaKeep@me.com)

Dave Krolick  
ECORP Consulting, Inc  
[dkrolick@ecorpconsulting.com](mailto:dkrolick@ecorpconsulting.com)

Gregg McKenzie  
Placer County Conservation Program  
[gammcken@placer.ca.gov](mailto:gammcken@placer.ca.gov)

Theresa Johnson  
Placer County Conservation Program  
[tjohnson@placer.ca.gov](mailto:tjohnson@placer.ca.gov)