Central Valley Regional Water Quality Control Board

28 October 2026

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NOTICE OF APPLICABILITY FOR COVERAGE UNDER GENERAL ORDER NO. R5-2019-0023, WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION OF THE SOUTH SACRAMENTO HABITAT CONSERVATION PLAN PROGRAMMATIC GENERAL PERMIT, COTTONWOOD TENTATIVE SUBDIVISION MAP PROJECT (WDID#5A34CR00759-044), SACRAMENTO COUNTY

On 22 September 2026, KB Home Sacramento Inc. 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 No. R5-2019-0023, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the South Sacramento Habitat Conservation Plan Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the Cottonwood Tentative Subdivision Map Project (Project) meets the requirements of, and is hereby enrolled under, General Order R5-2019-0023. You may proceed with your Project in accordance with the Order.

A copy of the General Order No. R5-2019-0023 can be found on the Central Valley Water Board's Adopted Orders webpage (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/sacramento/r5-2019-0023.pdf).

Please familiarize yourself with the requirements of General Order R5-2019-0023. You are responsible for complying with all applicable Order requirements. Failure to comply with General Order R5-2019-0023 constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:
The 14-acre Project consists of constructing a residential development. Grading the Project site will permanently impact 0.98 acre of seasonal wetlands and 0.07 acre/810 linear feet of roadside ditches.

PROJECT TYPE:
Residential Development

PROJECT LOCATION:
The Project is located at 8431 Stevenson Avenue in Sacramento.

Section 14, Township 7 North, Range 5 East, MDB&M

Latitude: 38.4662266° and Longitude: -121.3920684°

PROJECT SCHEDULE:
1 May 2027 through 31 December 2027

COMPENSATORY MITIGATION
To mitigate for the loss of 0.98 acre of seasonal wetland and 0.07 acre of roadside ditch, the Permittee shall purchase a minimum of 0.98 vernal pool In-Lieu Fee (ILF) credits and 0.07 open water ILF credits from the South Sacramento ILF Program. The Permittee shall provide evidence of compensatory mitigation to the Central Valley Water Board prior to construction. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts and must comply with the effective policy, which ensures no overall net loss of wetlands for impacts to waters of the state.

APPLICATION FEE RECEIVED:
An application fee of $39,421.00 was received on 25 September 2026. 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 A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

This Notice of Applicability is subject to annual billing based on the fee schedule in effect at the time of billing. Annual billing will continue until the Project, including monitoring, is complete and the Water Board receives an acceptable request for a Notice of Project Complete Letter (see Attachment C of General Order No. R5-2019-0023). Invoices are usually sent out at the end of each calendar year.

To stop annual billing, the Permittee must request a Notice of Project Complete Letter from the Water Board. Water Board staff will verify if the conditions of the Notice of Applicability are met and may conduct a site visit to confirm compliance.

For more information on fees, visit the State Water Board's Water Quality Fees webpage (https://www.waterboards.ca.gov/resources/fees/water_quality/) under Water Quality Certification (WQC) Program Fees.

PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:
The Permittee shall implement the applicable Avoidance and Minimization Measures listed in the Avoidance and Minimization Measures Compliance Checklist, submitted as Attachment E of the NOI.

ADDITIONAL CONDITION:
The Permittee 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. 2022-0057-DWQ, 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.

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

Original Signed by Anne Walters
For Patrick Pulupa
Executive Officer

Enclosure: *General Order No. R5-2019-0023, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the South Sacramento Habitat Conservation Plan Programmatic General Permit*

Attachments: Figure 1: Project Location
Figure 2: Aquatic Resources

cc: via email only

United States Army Corps of Engineers, SPKRegulatoryMailbox@usace.army.mil
Kelley Herbel, United States Army Corps of Engineers, Kelley.C.Herbel@usace.army.mil
United States Environmental Protection Agency, R9CWA401@epa.gov
State Water Board, Section 401 WQC Program, Stateboard401@waterboards.ca.gov
CA Sportfishing Protection Alliance, RMcHenry@calsport.org
Diane S. Moore, Moore Biological Consultants, Moorebio@softcom.net

Figure 1: Project Location

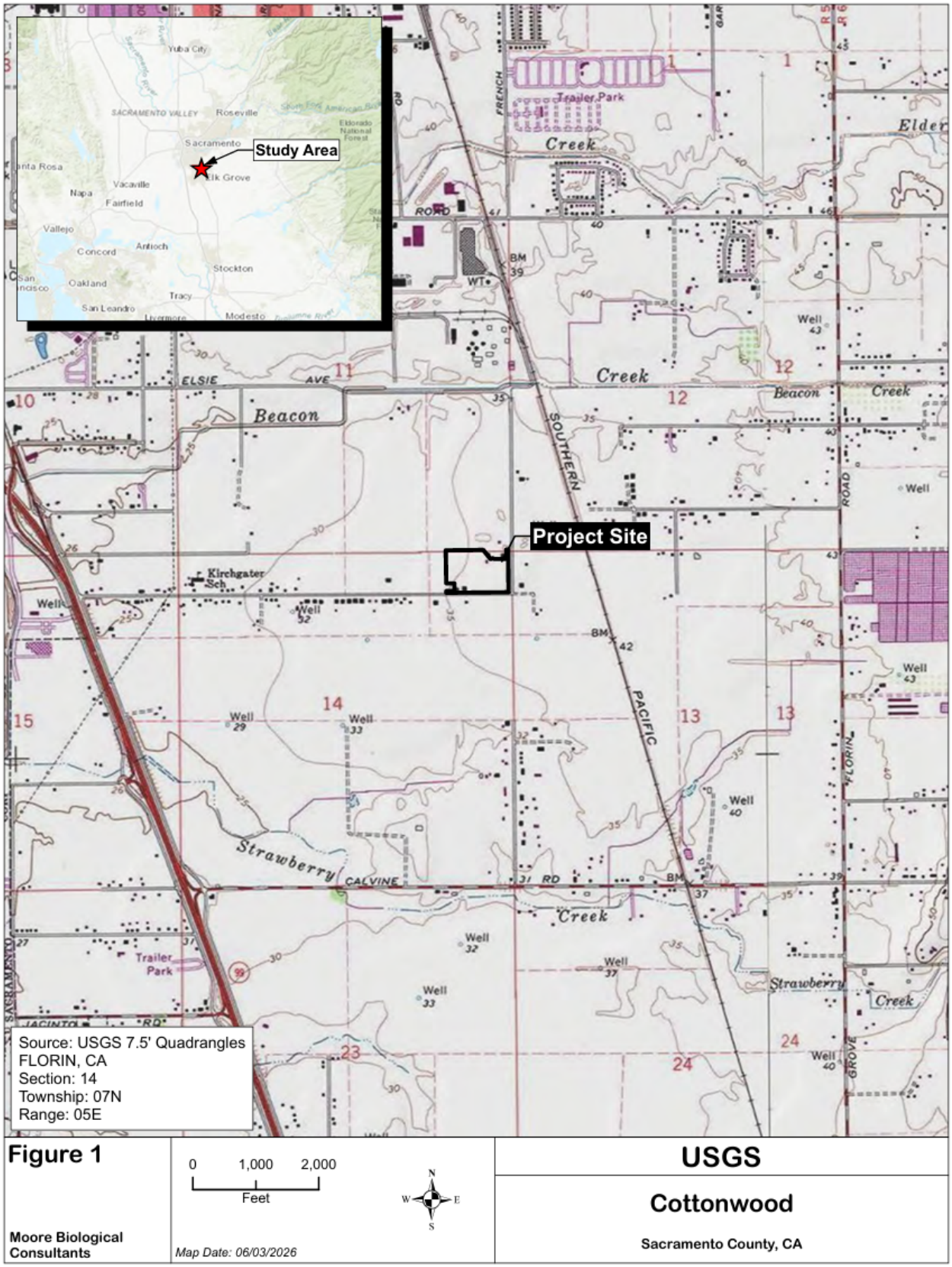


Figure 2: Aquatic Resources

