
Central Valley Regional Water Quality Control Board

14 December 2020

Joel Schrenck
North Point Development
12977 N. Outer Forty Suite 203
St. Louis, MO 63141

NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. 2004-0004-DWQ, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DREDGED OR FILL DISCHARGES TO WATERS DEEMED BY THE U.S. ARMY CORPS OF ENGINEERS TO BE OUTSIDE OF FEDERAL JURISDICTION, OAKLEY LOGISTICS CENTER PROJECT (WDID#5B07CR00228), CONTRA COSTA COUNTY

On 6 November 2020, the North Point Development submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the United States Army Corps of Engineers to be Outside of Federal Jurisdiction.

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Oakley Logistics Center Project (Project) meets the requirements of, and is hereby enrolled under, Order No. 2004-0004-DWQ. You may proceed with your Project in accordance with the Order.

A copy of [Order 2004-0004-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) can be found on the State Water Resources Control Board's Adopted Orders webpage and is enclosed.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. You are responsible for complying with all applicable Order requirements. Failure to comply with Order No. 2004-0004-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The 142-acre Project consists of demolishing existing structures and phased construction of new buildings and parking facilities. The project will fill 0.197 acre of isolated seasonal wetland habitat (waters of the state) with clean fill dirt to grade a portion of the Project area to construct a new parking lot.

Project elements that impact aquatic resources include mass grading and fill of an isolated wetland on the project site. The Project will permanently place approximately 320 cubic yards of clean fill dirt into 0.197 acre of wetland habitat.

PROJECT LOCATION:

Address: 6000 Bridgehead Road
Oakley, California

Latitude/Longitude: 38.012398°N/121.746569°W

Sections 15 and 22, Township 2 North, Range 2 East, MDB&M.

PROJECT SCHEDULE:

19 December 2020 through 30 October 2021

APPLICATION FEE RECEIVED:

\$1,525.00 was received on 12 November 2020. The remaining application fee balance of \$1,949.00 based on total Project impacts was received on 9 December 2020.

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.

AVOIDANCE AND MINIMIZATION MEASURES:

The work will be conducted during dry weather. Standard construction best management practices (BMPs) will be employed to minimize dust, erosion, and potential sedimentation. These BMPs include use of water trucks, compacting soil, installing erosion control measures, re-seeding disturbed areas, and implementing all erosion control measures (e.g., silt fences, straw wattles, hay bales, etc.)

COMPENSATORY MITIGATION:

To mitigate for the loss of 0.197 acre of wetland habitat, the Applicant shall purchase a minimum of 0.197 mitigation credits from an approved mitigation bank or in lieu fee program for the impacted watershed prior to commencing construction. The Applicant shall provide evidence of all off-site compensatory mitigation to the Central Valley Water Board. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts.

Compensatory mitigation must comply with the effective policy, which ensures no overall net loss of wetlands for impacts to waters of the state, at the time of Certification.

Evidence of compliance with compensatory mitigation requirements includes providing a letter from the approved compensatory mitigation bank or in-lieu fee recipient. The letter must: a) be on the compensatory mitigation bank's or in-lieu fee recipient's letterhead; b) be signed by an authorized representative of the compensatory mitigation bank or in-lieu fee recipient; c) describe the Project name and location; and d) detail the type of compensatory mitigation credits purchased in-lieu fees paid for the Project's impacts.

TERMINATION OF COVERAGE:

Upon completion of the Project, you shall submit a complete Notice of Termination (NOT) requesting to be un-enrolled under Order No. 2004-0004-DWQ. Attachment 2 to the Order contains the NOT form.

If you have questions concerning this matter, please contact Angela Nguyen-Tan by phone at (916) 464-0335 or by email at Angela.Nguyen-Tan@waterboards.ca.gov

Original Signed By James Marshall for:

Patrick Pulupa
Executive Officer

Enclosure: State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ

Attachments: Figure 1 – Project Location Map
Figure 2 – Site Impact Map

cc: [Via email only]

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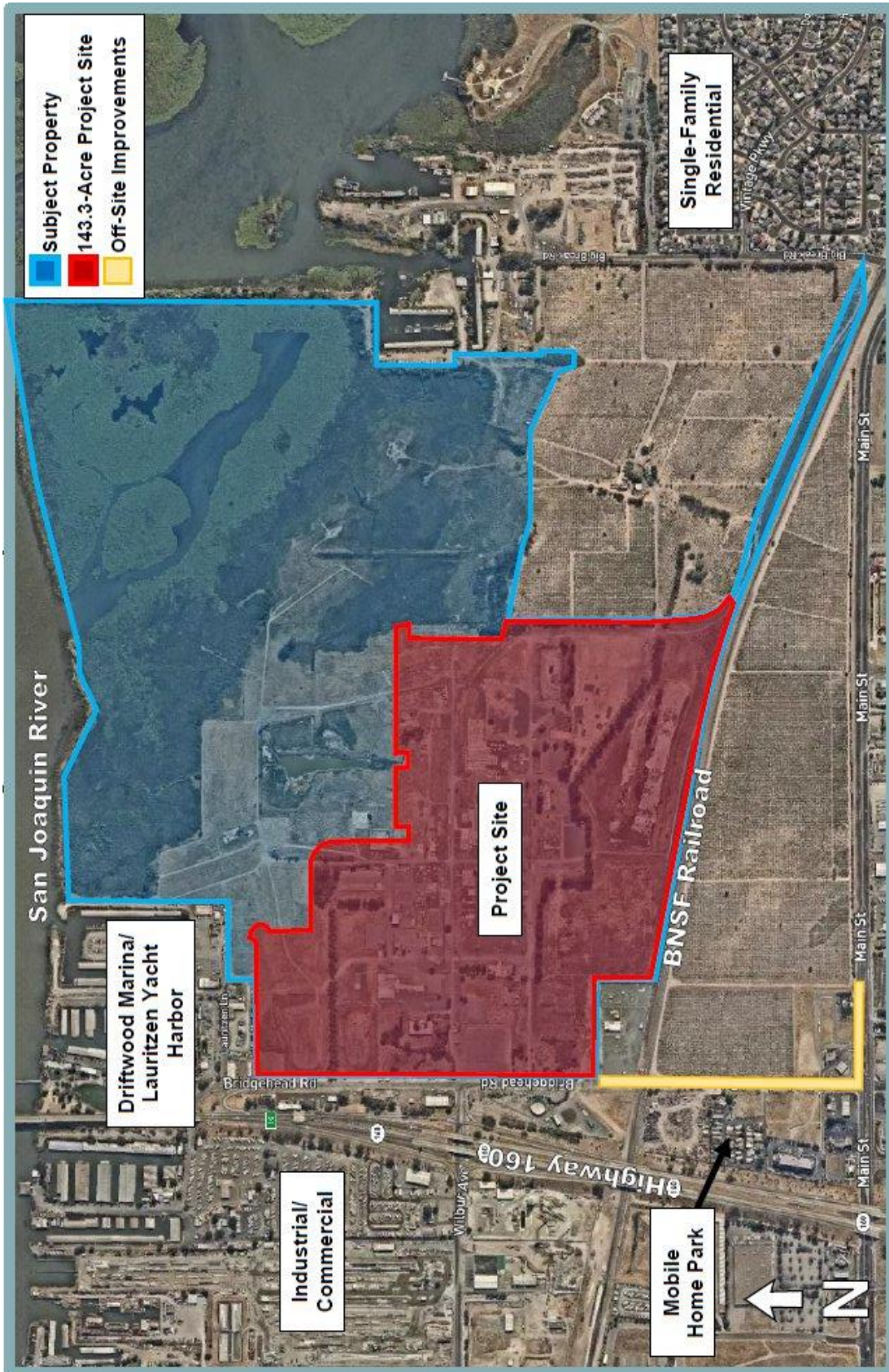


Figure 1: Project Location Map

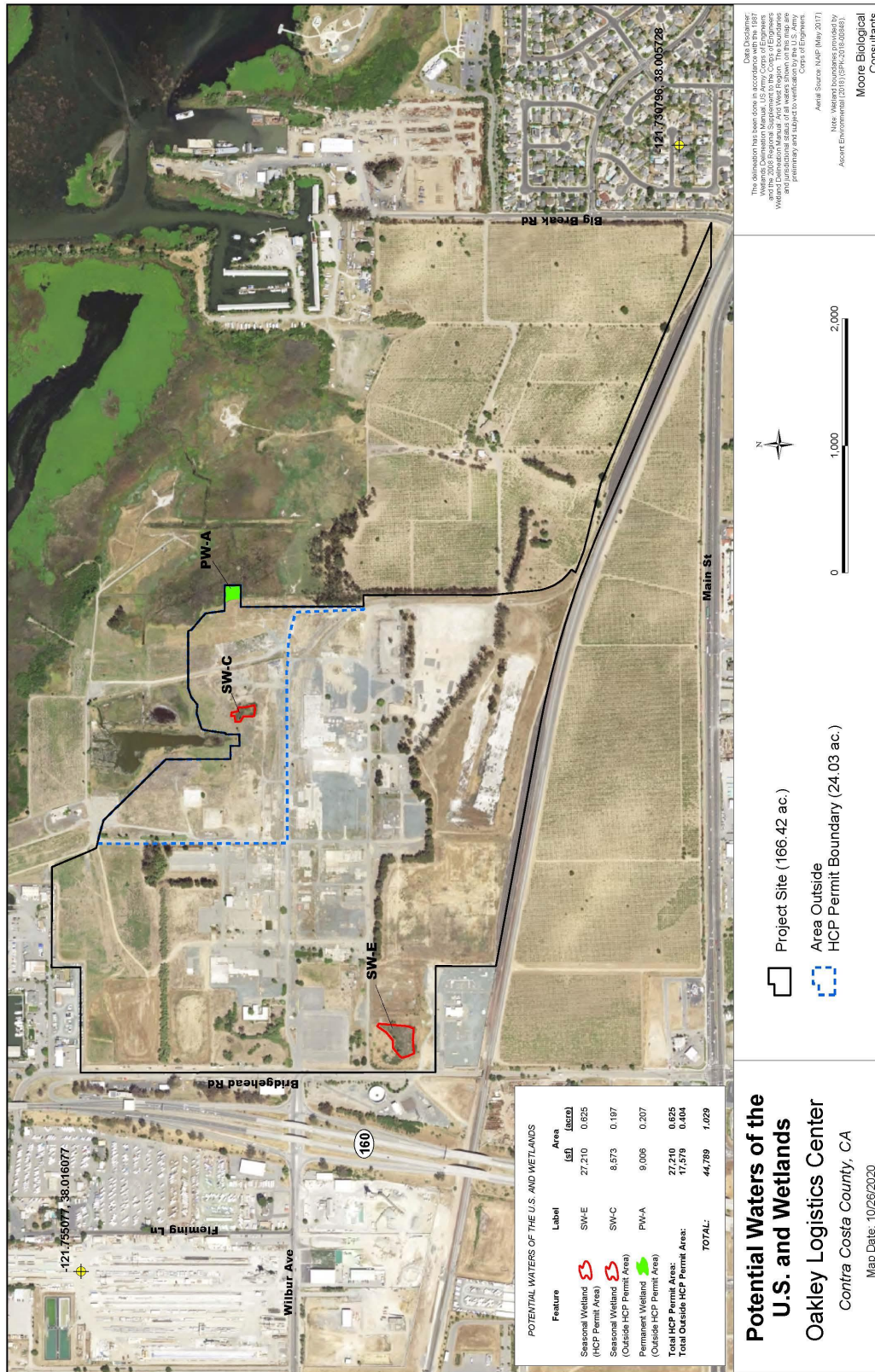


Figure 2: Site Impact Map