



Central Valley Regional Water Quality Control Board

14 August 2020

Michael G. Nepstad
Acting Chief, Regulatory Division
United States Army Corps of Engineers
1325 J Street
Sacramento, CA 95814-2922

NOTICE OF TENTATIVE GENERAL ORDER FOR WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION FOR UNITED STATES ARMY CORPS OF ENGINEERS, WESTERN PLACER COUNTY HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN PLACER COUNTY WATER AGENCY, REGIONAL GENERAL PERMIT, PLACER COUNTY

TO ALL CONCERNED PERSONS AND AGENCIES:

Enclosed are tentative General Order for Waste Discharge Requirements and Clean Water Act section 401 Certification for the Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) Placer County Water Agency (PCWA) Regional General Permit (RGP) in Placer County. The Placer County Conservation Program (PCCP) includes the HCP/NCCP and the Placer County Aquatic Resources Program (CARP). The 269,672-acre PCCP is a regional approach to address issues related to planned development, species habitat conservation, and aquatic resource protection following a comprehensive conservation strategy, over a 50-year period. The HCP/NCCP covers 14 species of wildlife, including 9 that are state and/or federally listed as threatened or endangered. The HCP/NCCP will establish a reserve system comprised of approximately 47,300 acres of interconnected land blocks including all major streams. The reserve system created by the HCP/NCCP will also connect to approximately 15,957 acres of existing reserves. The CARP provides a comprehensive local program for the protection and restoration of aquatic resources in western Placer County. Compensatory mitigation fees collected for impacts in the Potential Future Growth area will be used to purchase, restore and preserve land in the Reserve Acquisition Area, thereby providing permanent protection to more intact watersheds and avoiding and minimizing impacts to natural resources on a regional scale. An individual project covered under the HCP/NCCP PWCA RGP and authorized under this Order may not result in the loss of waters of the state and loss of streambed in exceedance of impacts determined using the definition in section F of the January 6,

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

2017, Federal Register Notice for Issuance and Reissuance of Nationwide Permits; Final Rule (82 FR 1860). Additionally:

- The loss of waters of the state (including wetlands) resulting from authorization of a single and complete project under this Order shall not exceed a total of 0.25 acres, and the loss of streambed shall not exceed 300 linear feet of jurisdictional stream, and/or a total of 1,000 linear feet of irrigation, water supply, or drainage ditch or canal (provided the ditch or canal is not a relocated or channelized stream, as verified by this office), unless USACE waives the linear foot requirement by making a written determination concluding the discharge will result in no more than minimal individual or cumulative effects. The acreage of loss of streambed for streams, ditches, and/or canals shall be included in the acreage threshold for loss of waters of the state. The loss of waters of the state and loss of streambed shall not include activities that do not require Department of the Army authorization (i.e. would not result in a discharge of fill material into waters of the state, or are exempt under section 404(f) of the Clean Water Act).
- Bank stabilization activities are limited to no more than 500 feet in length along the bank of jurisdictional streams and no more than 1,000 feet in length along the bank of irrigation, water supply, or drainage ditches or canals (provided the ditch or canal is not a relocated or channelized stream, as verified by this office), unless this office waives this requirement by making a written determination concluding the discharge will result in no more than minimal individual or cumulative effects.
- The cumulative loss of waters of the state authorized under this Order shall not exceed 3 acres of waters of the state (including the acreage of loss of streambed), within the Plan Area. The cumulative loss of vernal pool waters of the state authorized by this Order shall not exceed 1 acre.
- The removal of sediment from the vicinity of existing structures or fills shall be limited to the minimum necessary to restore the waterway in the vicinity of the structure or fill to the approximate dimensions that existed when the structure was built, but shall not extend more than 200 feet in any direction from the structure. This 200-foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by this office.

A public hearing concerning this matter will be held during the Central Valley Regional Water Quality Control Board (Central Valley Water Board) meeting scheduled for:

DATE: 15/16 October 2020
TIME: 9:00 a.m.
PLACE: TBD

Any comments or recommendations you may have concerning the enclosed tentative General Order must be submitted to this office by **5:00 pm on 13 September 2020** in order for us to give them full consideration prior to the 15/16 October 2020 Board meeting. Comments received after this time will not be considered or included in the administrative record unless allowed by the Board's Chair.

In order to conserve paper and reduce mailing costs, a paper copy of the tentative General Order has been sent only to Michael G. Nepstad, Acting Chief of the United State Army Corps of Engineers Regulatory Division. Interested parties are advised that the full text of the Order is available on the [Central Valley Water Board's Tentative Orders web page](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/index.shtml) (http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/index.shtml) under the heading of "Discharger-Specific Orders for Future Regional Board Meetings".

Although it is not required, we would appreciate receiving comments before the due date above. Anyone without access to the Internet who needs a paper copy of the tentative General Order should contact Greg Hendricks at (916) 464-4709 or Greg.Hendricks@waterboards.ca.gov.

Stephanie Tadlock
Senior Environmental Scientist
401 Water Quality Certification & Dredging Unit

Enclosure: Tentative General Order for Waste Discharge Requirements and Clean Water Act section 401 Certification

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