



Colorado River Basin Regional Water Quality Control Board

Certified Mail: **9589 0710 5270 2389 3929 33**

January 20, 2026

Kyle Nauman
Cedar 2 SES, LLC
110 Edison Place, Suite 312
Newark, NJ 07102
201-275-4780
kin@vcrenewables.com

SUBJECT: NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER WQ 2004-0004-DWQ, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DREDGE OR FILL DISCHARGES TO WATERS DEEMED BY THE U.S. ARMY CORPS OF ENGINEERS TO BE OUTSIDE OF FEDERAL JURISDICTION, VEGA 5 PROJECT, IMPERIAL COUNTY, WDID NO. 7A133191001

Dear Kyle Nauman

On September 30, 2025, Cedar 2 SES LLC (Discharger) submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order WQ 2004-0004-DWQ, *Statewide General Waste discharge Requirements for Dredge or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to Be Outside of Federal Jurisdiction* (General WDRs). The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) has reviewed your enrollment materials and finds that the dredge or fill discharges associated with the Vega 5 project (Project) meet the requirements for enrollment under the General WDRs. The Project is hereby enrolled under the General WDRs, and the Discharger may proceed with the Project in accordance therewith.

A copy of the General WDRs is attached to this Notice of Applicability (NOA) and can also be found on the [State Water Board's Adopted Orders webpage](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wq/wqo2004-0004.pdf) at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wq/wqo2004-0004.pdf.

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

VIVIAN PEREZ, CHAIR | MICHAEL PLACENCIA, EXECUTIVE OFFICER

PROJECT DESCRIPTION, IMPACTS, AND MITIGATION

The purpose of the Project is to construct a photovoltaic (PV) solar energy facility. Project activities will include the constructing a 50-megawatt (MW) facility, installing a new 50 MW battery energy storage system, and constructing associated infrastructure which includes, underground and overhead solar collection lines, a substation, and a high voltage gen-tie transmission line. Construction, operation, maintenance, and decommissioning of these facilities will include PV modules, mounting structures, electrical wiring, inverters, transformers, direct current electric collection system and alternating current cabling, project electric substations and ancillary facilities. Vegetation in the temporarily impacted areas will be avoided to the extent feasible. Best Management Practices will be used to prevent sediment from traveling into waters of the state outside the project area.

The Project will permanently impact 0.11 acres (55 linear feet) and 0.09 acres (213 linear feet) of temporarily impact to waters of the state within washes (ephemeral streams) within the Colorado River Basin Water Board's jurisdiction. The temporarily impacted areas will be restored to pre-project conditions upon completion of the work.

The Discharger will provide compensatory mitigation for the authorized permanent impacts to waters of the state at a ratio of at least 497:1 by preserving at least 54.73 acres of in-kind waters of the state within the community area where mitigation site will occur via permittee-responsible mitigation.

PROJECT LOCATION

The Project is located 5 miles northeast of the city of Calipatria, in Imperial County, California. This area is within Section 17, Township 11 South, Range 15 East, San Bernardino Base & Meridian.

The latitude and longitude of the Project site(s) are listed below in Table 1.

Maps showing the Project locations and areas of impacted waters are found in Attachment A: Project Maps

Table 1: Project Site Locations

Site	Latitude	Longitude
1	33.206917° N	115.432879° W

FEES RECEIVED

An application fee of \$4,212.00 was received on October 2, 2025. A project fee payment in the amount of \$3,297.00 was received on October 30, 2025. The fee amounts were determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3) and were calculated as a Category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

On December 13, 2022, Imperial County, as lead agency, certified a Final Environmental Impact Report (EIR) (State Clearinghouse (SCH) No. 2021050013) for the Project and filed a Notice of Determination on January 7, 2026. The Colorado River Basin Water Board is a responsible agency under CEQA (Pub. Resources Code, § 21069) and in making its findings and determination, must presume that the certified environmental document complies with the requirements of CEQA and is valid. (Cal. Code of Regs., tit. 14, § 15231). The Colorado River Basin Water Board has reviewed and considered the environmental document and finds that it adequately addresses the Project's water resource impacts. (Cal. Code of Regs., title 14, § 15096, subd. (f).)

AVOIDANCE AND MINIMIZATION MEASURES

The Discharger shall implement all measures identified in the NOI and supplemental materials to avoid and minimize adverse impacts to waters of the state and comply with all applicable conditions in the General WDRs.

TERMINATION OF COVERAGE

Upon completion of the Project, the Discharger shall submit a Notice of Termination (NOT) requesting to be un-enrolled from the General WDRs. The NOT form can be found in Attachment 2 of the General WDRs.

If you require further assistance, please contact Logan Raub, 401 Water Quality Certification Program Manager via phone at (760) 776-8966 or email at Logan.Raub@waterboards.ca.gov.

Sincerely,

Original Signed By

Michael Placencia
Executive Officer
Colorado River Basin
Regional Water Quality Control Board

Enclosures: 1) Attachment A Project Maps
2) State Water Board Water Quality Order No. 2004-0004-DWQ

Cedar 2 SES LLC
Vega 5 Project

WDID: 7A133191001
Reg. Meas. ID: 462730
Place ID: 903053

File: WDID: 7A133191001, RM: 462730, Place ID: 903053, Vega 5 Project,
Water Quality Order No. 2004-0004-DWQ

cc: [via email only] (w/ enclosure):

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USEPA Region IX 401 Program
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CA Department of Fish and Wildlife Region 6
- Inland Desert Region
R6LSA@wildlife.ca.gov

Attachment A Project Maps

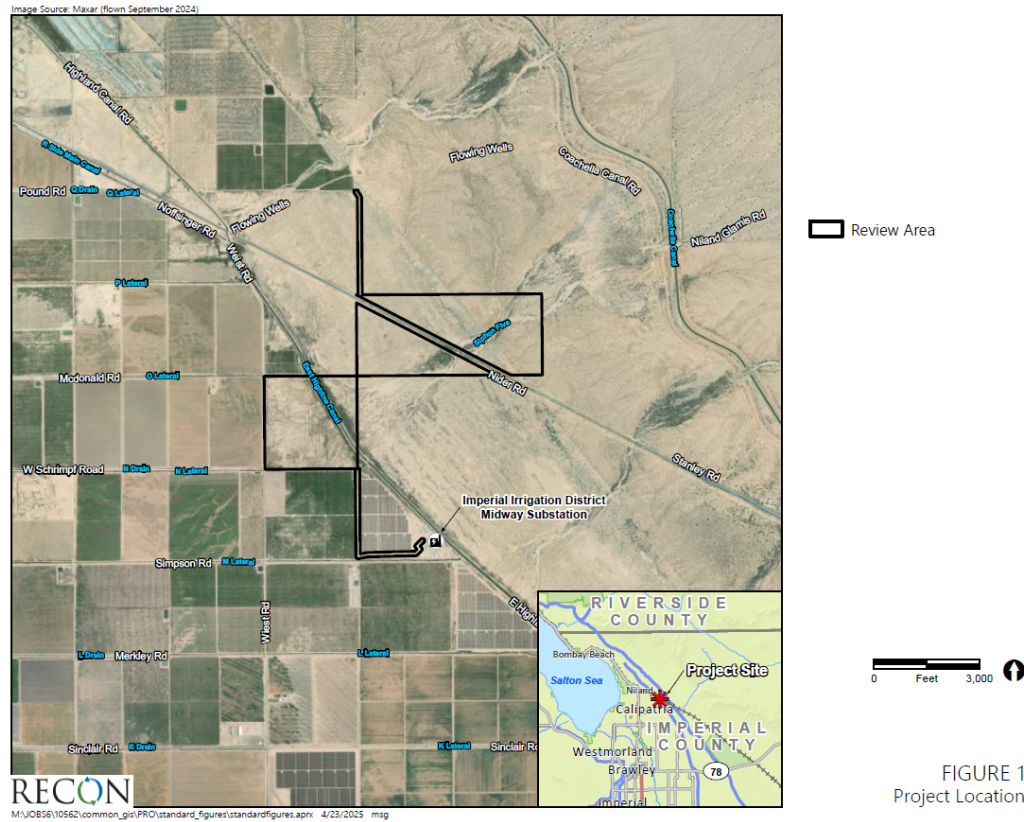


Figure 1. Regional Map of the Project site.¹

¹ Figures and photos submitted with the Notice of Intent (NOI) Form and supplemental materials for the Vega 5 Project was received by Colorado River Basin Regional Water Quality Control Board on September 30, 2025.

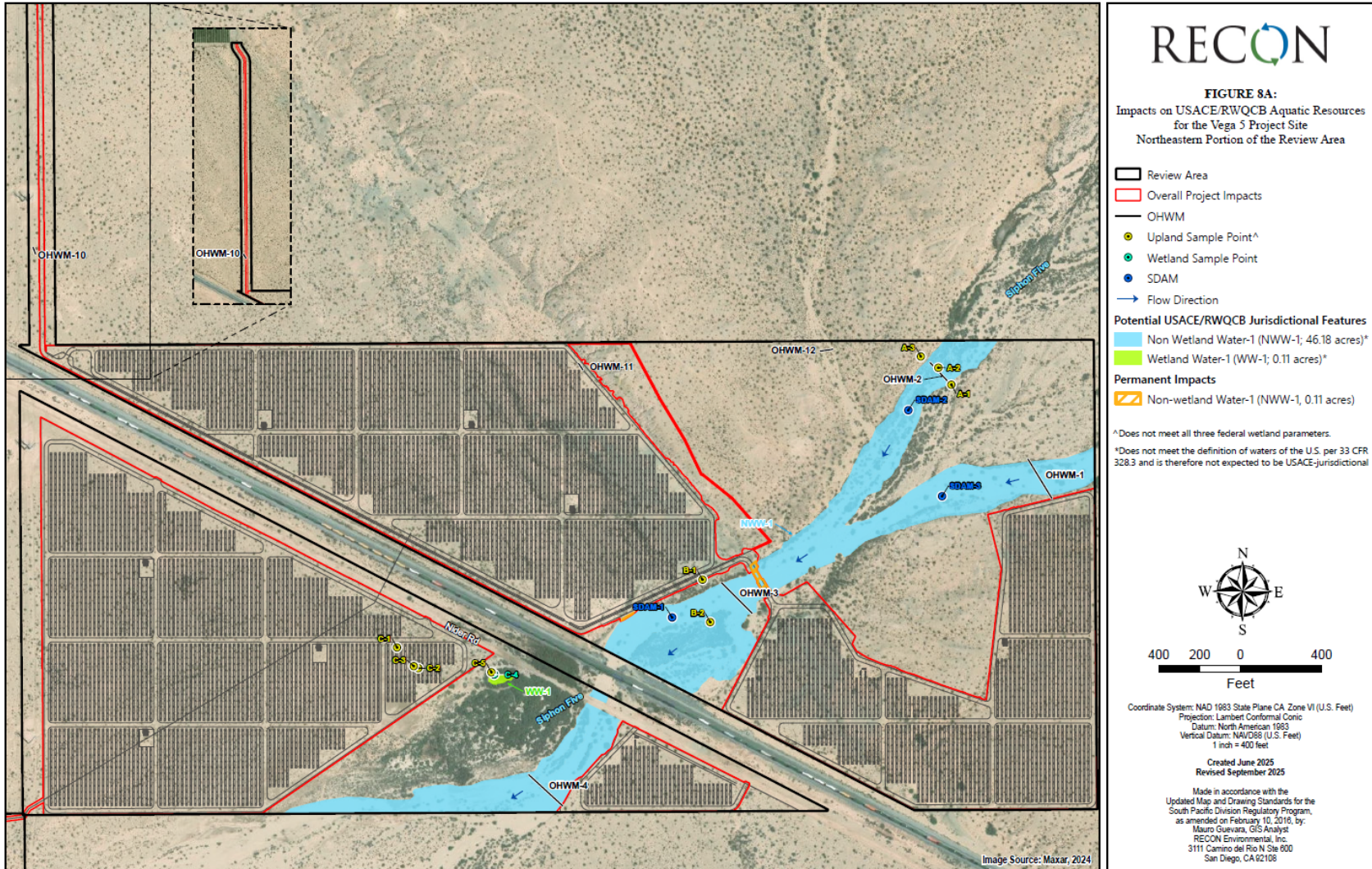


Figure 2. Work area and jurisdictional map.



Figure 3. Project site along the O lateral canal. Photo facing NortheDast.

Cedar 2 SES LLC
Vega 5 Project

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State Water Board Water Quality Order No. 2004-0004-DWQ

A copy of [Water Quality Order No. 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 also be found on the [State Water Resources Control Board's General Orders webpage](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html).