



Central Valley Regional Water Quality Control Board

30 March 2023

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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, SR 49 SIDEWALK GAP CLOSURE ROCK CREEK BRIDGE CROSSING (2023) PROJECT (WDID#5A31CR00534-018), PLACER COUNTY

On 24 February 2023, the Placer County Transportation Planning Agency (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 SR 49 Sidewalk Gap Closure Rock Creek Bridge Crossing (2023) 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).

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.

SR 49 Sidewalk Gap Closure Rock Creek Bridge Crossing (2023) Project

PROJECT DESCRIPTION:

The 0.126-acre Project consists of constructing a pedestrian/bicycle bridge over Rock Creek along the western side of State Route 49.

Project elements that affect aquatic resources include the installation of the southern bridge support (foundation, abutments, and wing wall) which will take place below the ordinary high-water mark (OHWM) of Rock Creek. The northern bridge support would be above the OHWM of Rock Creek. The bridge would span the OHWM and consist of precast girders lifted into place from a crane. No falsework or temporary supports are needed within the creek. The Project will permanently impact 0.001 acre of stream channel habitat. There will be no temporary impacts to aquatic resources from project activities.

PROJECT TYPE:

Bridges, Overpasses and Crossings

PROJECT LOCATION:

The Project is located at the Rock Creek bridge crossing along the western side of State Route 49, north of the Auburn city limits, and south of the intersection of State Route 49 and Locksley Lane.

Section 29, Township 13 North, Range 8 East, MDB&M

Latitude: 38.94968333 ° and Longitude: -121.10013889°

PROJECT SCHEDULE:

The project will take place over two seasons:

- May 1 to September 30, 2024
- May 1 to July 30, 2025

PUBLIC NOTICE

The Central Valley Water Board provided public notice of the application from 3 March 2023 to 24 March 2023. The Central Valley Water Board did not receive any comments during the comment period.

COMPENSATORY MITIGATION

Compensatory Mitigation is not required for the filling of 0.001 acre of stream channel habitat.

APPLICATION FEE RECEIVED:

An application fee of \$ 2,734.00 was received on 23 March 2023.

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 E – Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

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PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:

- Wetlands and riparian habitat within the Project Area that are not needed for construction access will be designated as Environmentally Sensitive Areas (ESAs). ESA fencing will be installed as a first order of work and remain in place until all construction activities are complete.
- The Contractor will submit and implement a Water Pollution Control Plan (WPCP). The WPCP will be in compliance with the goals and restrictions identified in the Central Valley Region Basin Plan.
- All equipment maintenance, staging, and dispensing of fuel, oil, or any other such activities will occur in developed or designated non sensitive upland habitat areas. The designated upland areas will be in a location that will prevent any spill runoff from entering waters of the State.
- Where working areas encroach on live or dry streams, lakes, or wetlands, Central Valley Water Board approved physical barriers shall be constructed and maintained between working areas and streams, lakes, and wetlands, to prevent the flow or discharge of sediment into these areas. During construction of the barriers, discharge of sediment into streams shall be held to a minimum. Discharge will be contained through the use of Central Valley Water Board approved measures that will keep sediment from entering protected waters.
- Oily or greasy substances originating from the Contractor's operations shall not be allowed to enter or be placed where they will later enter a live or dry stream, pond, or wetland.
- Asphalt concrete shall not be allowed to enter a live or dry stream, pond, or wetland.

WATER QUALITY MONITORING:

Work is anticipated to take place when Rock Creek is naturally dry. Water quality monitoring is not required if in-channel work will take place in naturally dry conditions.

If Rock Creek is expected to not be dry when construction commences, the permittee shall submit a Water Quality Monitoring Plan to Central Valley Water Board staff no later than 30 days prior to the commencement of construction. The Water Quality Monitoring Plan must be approved by Central Valley Water Board Staff prior to initiating in-water work.

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 [Water Quality Petitions | California State Water Resources Control Board](#)

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(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.

Original Signed by Anne Walters for:

Patrick Pulupa
Executive Officer

cc: [Via email only]

United States Army Corps of Engineers
Sacramento District Office
Regulatory Division
SPKRegulatoryMailbox@usace.army.mil

Patrick Moeszinger
California Department of Fish and Wildlife
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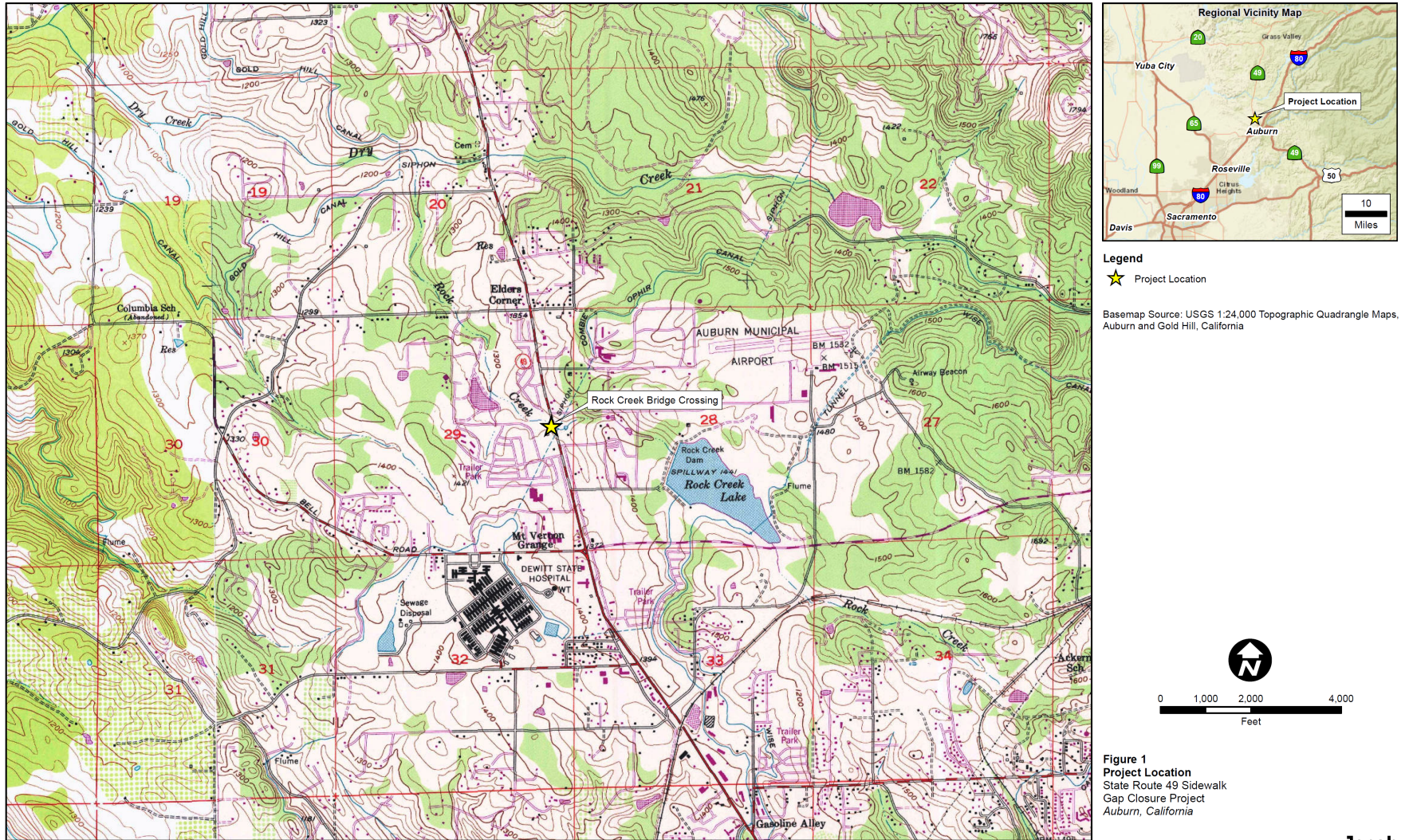
United States Environmental Protection Agency
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CWA Section 401 WQC Program
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Stateboard401@waterboards.ca.gov

Theresa Johnson
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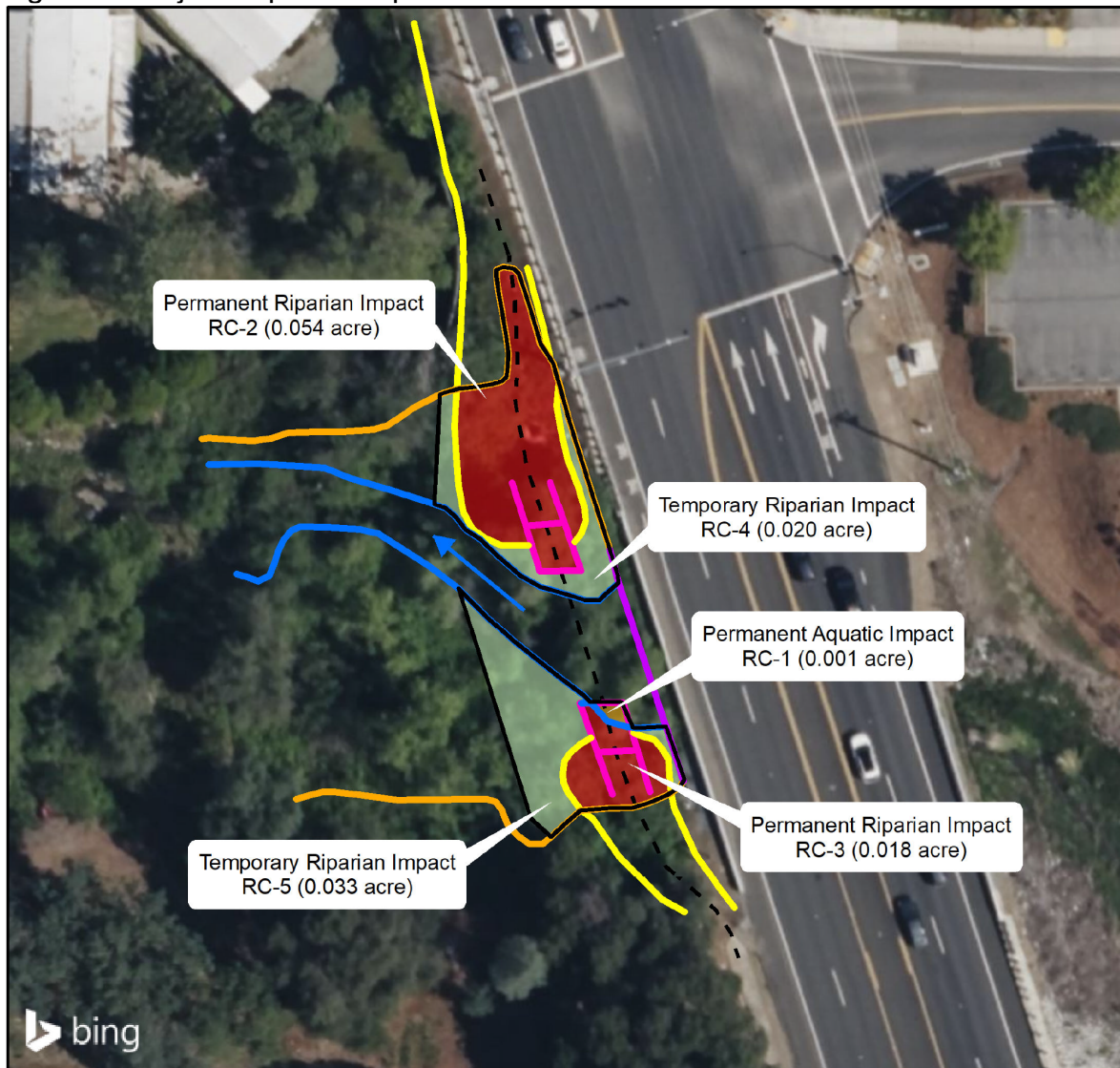
Matthew Franck
Jacobs Engineering
matthew.franck@jacobs.com

Figure 1: Project Location Map



SR 49 Sidewalk Gap Closure Rock Creek Bridge Crossing (2023) Project

Figure 2: Project Impacts Map



LEGEND

- Project Area
- Permanent Aquatic Impacts (0.001 acre)
- Permanent Riparian Impacts (0.072 acre)
- Temporary Riparian Impacts (0.053 acre)
- Trail Centerline
- Bridge Footing and Wing Wall
- Edge of Fill
- OHWM
- Headwall
- Top of Bank
- Flow Direction

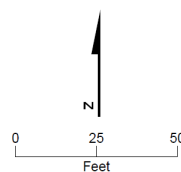


Figure 2
Project Impacts
 State Route 49 - Rock Creek
 Auburn, California