



---

## Central Valley Regional Water Quality Control Board

1 December 2023

Bruce Bell  
Braden Development Corp.  
5241 Arnold Avenue  
McClellan CA, 95652  
[bbell@somerswest.com](mailto:bbell@somerswest.com)

**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, CORDOVA HILLS OFF-SITE WATER IMPROVEMENT PROJECT (WDID#5A34CR00759-028), SACRAMENTO COUNTY**

On 18 October 2023, the Braden Development Corp. 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 (SSHCP) Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the Cordova Hills Off-site Water Improvement 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) ([https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/sacramento/r5-2019-0023.pdf](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 3.12-acre Project consists of constructing a 2,990 linear foot, 20-inch transmission main and a 5,540-linear-foot, 24-inch transmission main west of Grant Line Road. The two transmission mains will connect to the existing transmission mains installed on

Douglas Road and Chrysanthy Boulevard and will serve the planned Cordova Hills development.

The project will be constructed utilizing conventional grading and excavation equipment such as excavators, dozers, motor graders, and compactors. Both transmission mains are designed to be installed at an average depth of approximately ten feet with a consistent eight feet of separation, necessitating the need for appropriate shoring and sloping to maintain safety. Other features of the Project include a paved access road directly above newly installed mains, minor drainage structures, and necessary waterline appurtenances.

Project elements that affect aquatic resources include grading and excavating the project site to install the two transmission mains. The Project will permanently impact 0.01 acre of vernal pool, 0.003 acre of seasonal wetland swale, and 0.01 acre of ephemeral drainage.

### **PROJECT TYPE**

Underground Utilities

### **ADDITIONAL CONDITION:**

The Applicant 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. 2009-0009-DWQ, as amended 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.

### **PROJECT LOCATION:**

The Project is located west of Grant Line Road, south of the intersection of Douglas Road and Grant Line Road.

Sections 10 and 15, Township 8 North, Range 7 East, MDB&M

Latitude: 38.551808° and Longitude: -121.187472°

### **PROJECT SCHEDULE:**

April 2024 to December 2029.

### **COMPENSATORY MITIGATION**

To mitigate for the loss of 0.01 acre of vernal pool habitat, 0.01 acre of stream channel habitat, and 0.003 acre of swale habitat, the Applicant shall purchase a minimum of 0.02 in-lieu fee credits from the SSHCP 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. Evidence of on-site compensatory mitigation shall be provided with the Notice of Completion. 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 in-lieu fee recipient. The letter must: a) be on their in-lieu fee recipient's letterhead; b) be signed by an authorized representative of the in-lieu fee recipient; c) indicate the United States Army Corps of Engineers' SPK number; d) describe the Project name and location; and e) detail the type of in-lieu fees paid for the Project's impacts.

**APPLICATION FEE RECEIVED:**

An application fee of \$2,734.00 was received on 24 October 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 A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

**PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:**

The Permittee shall implement the Avoidance and Minimization Measures (AMMs) listed in Attachment B and Attachment E of the Notice of Intent that was submitted on 18 October 2023.

**WATER QUALITY MONITORING:**

Water quality monitoring is not required if work is performed when the aquatic features are naturally dry.

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

*Original Signed by Anne Walters for:*

Patrick Pulupa  
Executive Officer

Attachment: Figure 1 – Project Location Map  
Figures 2-3 – Site Impacts Maps

Cc: Distribution List, page 4

**DISTRIBUTION LIST**  
**[Via email only]**

Erin Campbell  
United States Army Corps of Engineers  
Sacramento District Office  
Regulatory Division  
[Erin.M.Campbell@usace.army.mil](mailto:Erin.M.Campbell@usace.army.mil)

United States Environmental Protection Agency  
[R9CWA401@epa.gov](mailto:R9CWA401@epa.gov)

CWA Section 401 WQC Program  
State Water Resources Control Board  
[Stateboard401@waterboards.ca.gov](mailto:Stateboard401@waterboards.ca.gov)

Ben Watson  
Madrone Ecological Consulting  
[bwatson@madroneeco.com](mailto:bwatson@madroneeco.com)

Figure 1: Project Location

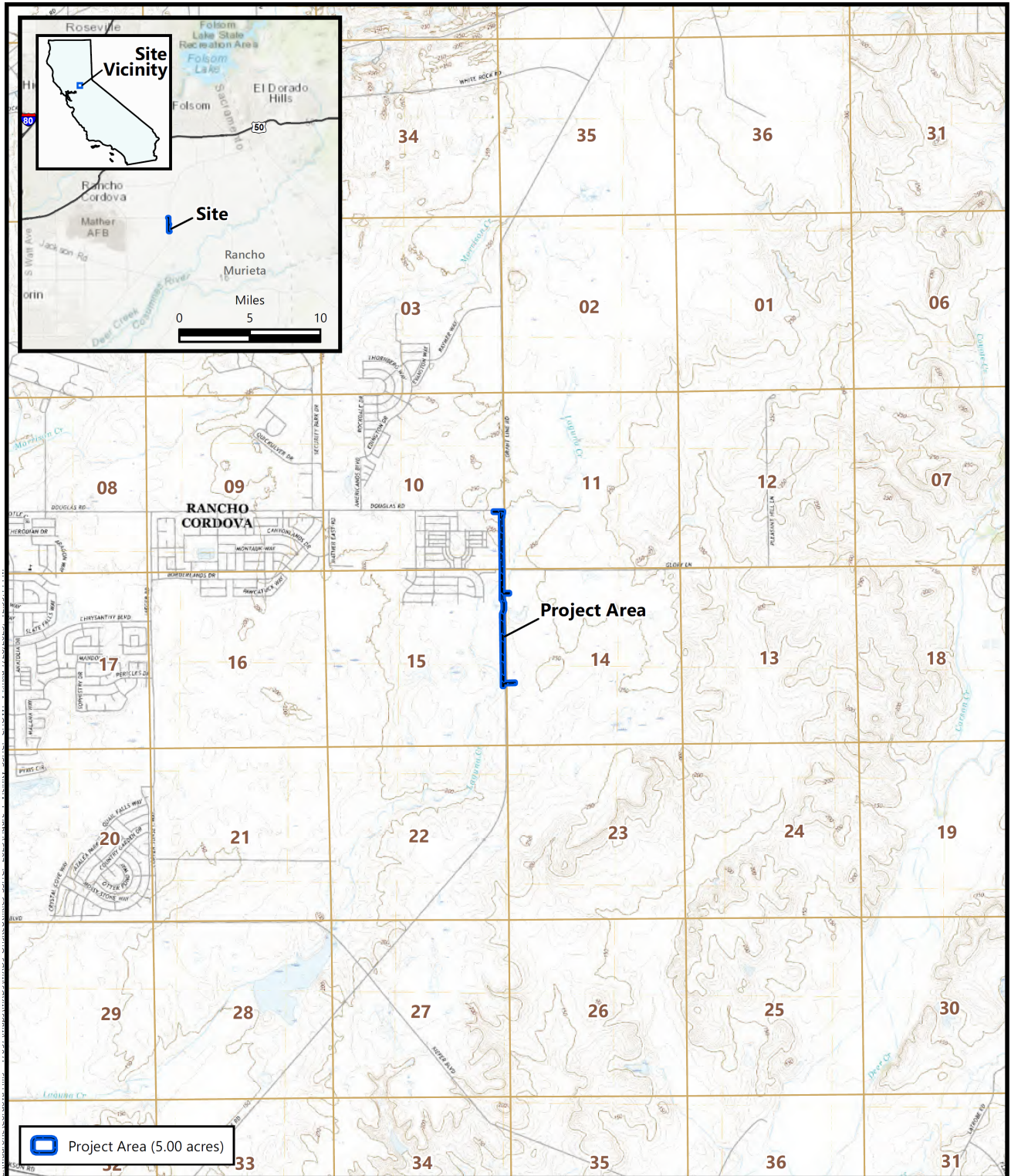


Figure 2: Project Impacts



Figure 3: Project Impacts

