



Central Valley Regional Water Quality Control Board

25 January 2023

Jigar Shah
City of Brentwood
150 City Park Way
Brentwood, CA 94513

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, SAND CREEK ROAD EXTENSION PROJECT (WDID#5B07CR00252), CONTRA COSTA COUNTY

On 15 December 2022, the City of Brentwood 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 Sand Creek Road Extension 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 6.9-acre Project consists of extending Sand Creek Road from the westerly existing terminus at state route 4, across Sand Creek, to Heidorn Ranch Road for approximately 2,300 linear feet. Construction of the Project would include one 12-foot travel lane in

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

each direction, a five-foot bike lane in each direction, and a 130-foot bridge span over Sand Creek with abutments. The Project also includes two stormwater outfalls placed on opposite creek banks below the proposed bridge.

Construction of the abutments for the proposed clear span bridge and the installation of the two stormwater outfalls will result in impacts to 0.14 acre/120 linear feet of the banks of Sand Creek above the Ordinary High Water Mark (OHWM), a Water of the U.S./State. No impacts will occur to the banks of Sand Creek below the OHWM.

PROJECT LOCATION:

The Project is located at the intersection of Heidorn Ranch Road and Old Sand Creek Road in Brentwood, Contra Costa County. The approximate center of the Project area is located at latitude 37.945625° and longitude -121.749073°.

PROJECT SCHEDULE:

Construction is anticipated to begin in June 2023 and be completed by October 2023.

APPLICATION FEE RECEIVED:

\$3,411.00 was received on 19 December 2022. 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.

MITIGATION AND MINIMIZATION MEASURES:

You must implement the mitigation and minimization measures as described in the Mitigation Plan within the supplemental pages of your NOI. Any deviations from, or revisions to the Mitigation Plan must be pre-approved by Central Valley Water Board staff.

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 Shawn Agarwal by phone at (916) 464-4849 or by email at Shawn.Agarwal@waterboards.ca.gov.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

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

cc: Distribution List, page 3

Distribution List
[Via email only]

Department of Fish and Wildlife, Region 2
R2LSA@wildlife.ca.gov

CWA Section 401 WQC Program
State Water Resources Control Board
Stateboard401@waterboards.ca.gov

CA Sportfishing Protection Alliance
DeltaKeep@me.com

Mark Jasper
Monk and Associates
mark@monkassociates.com

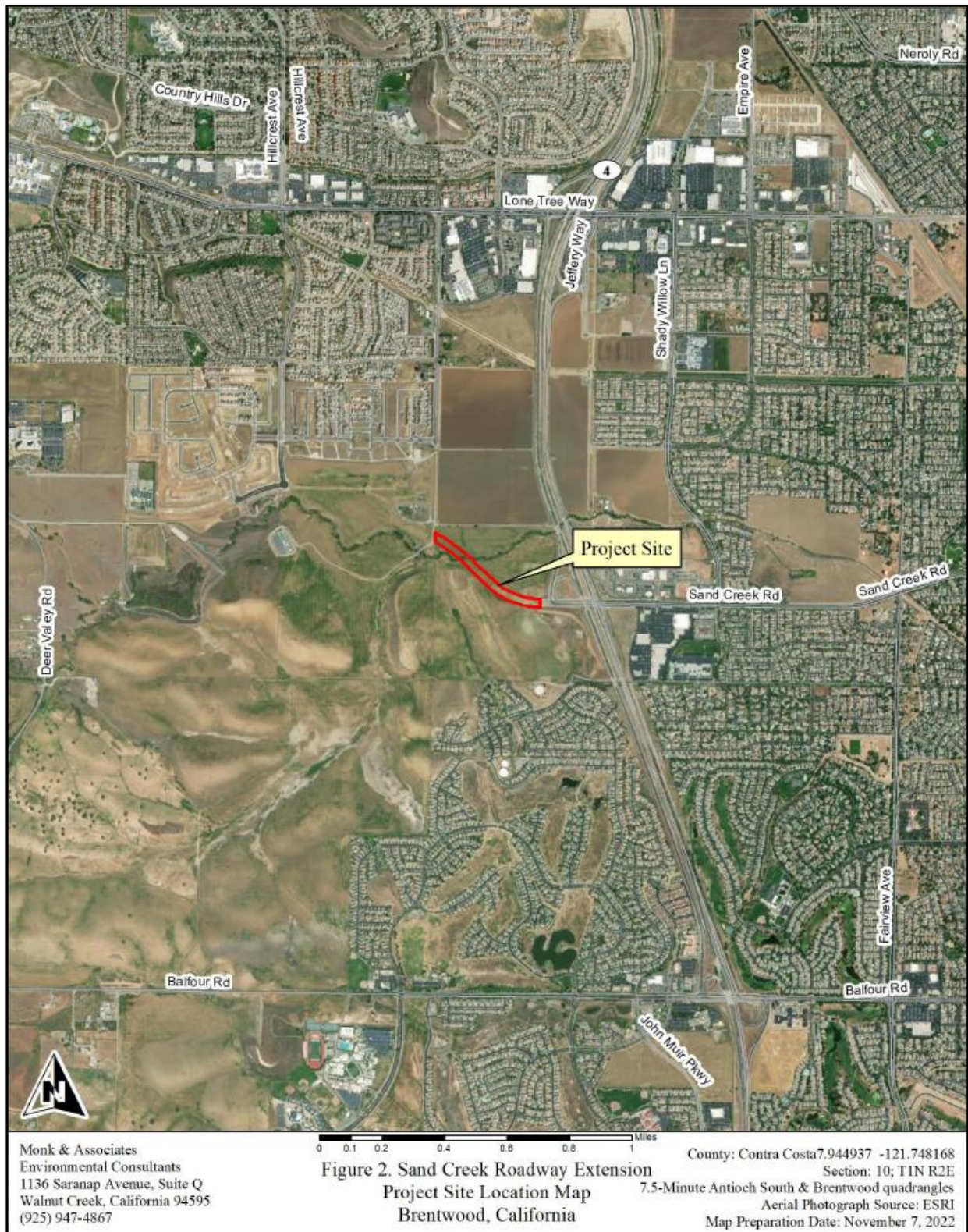


Figure 2: Project Location Map

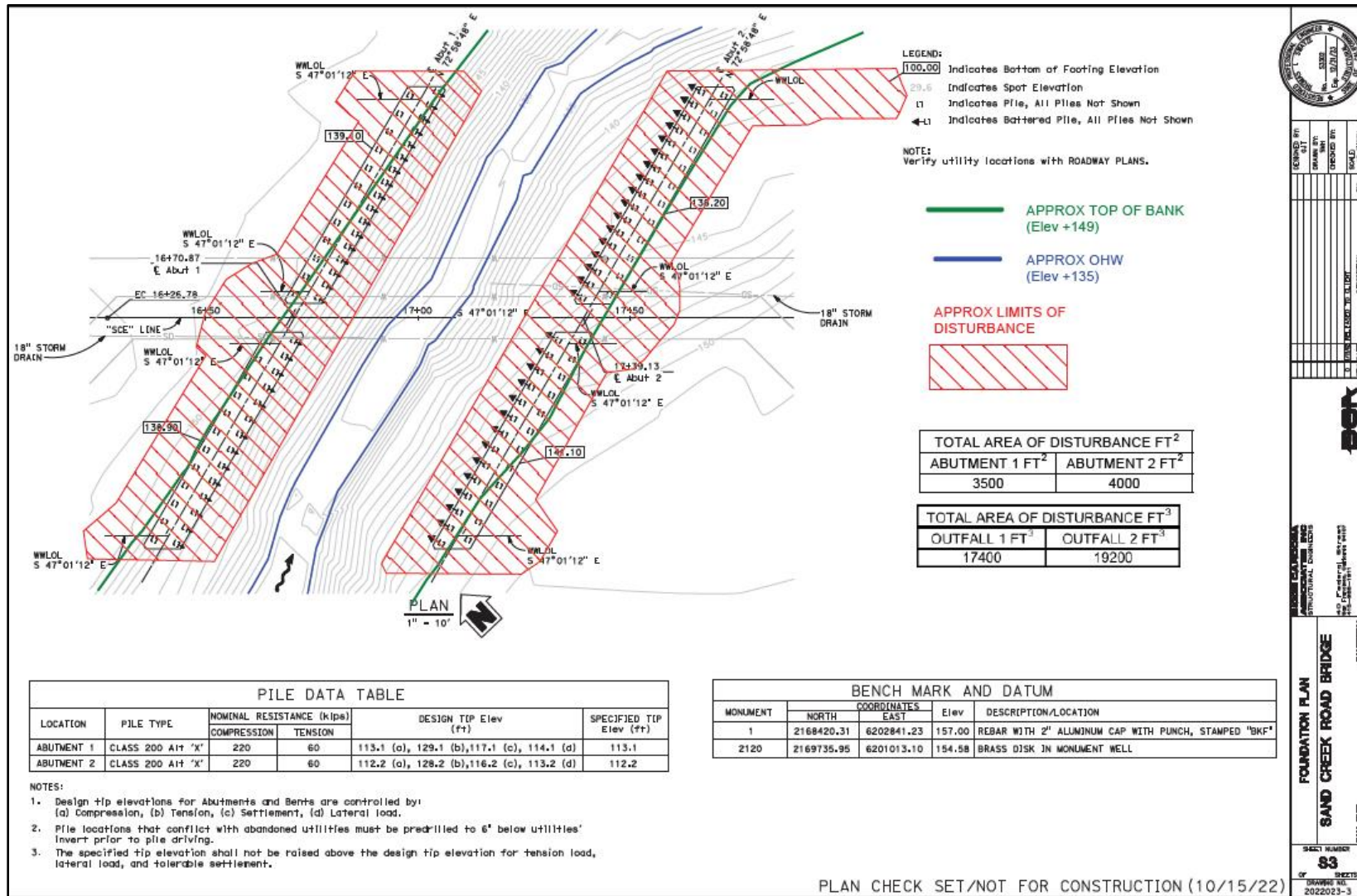


Figure 3: Project Impacts Map