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## Central Valley Regional Water Quality Control Board

11 September 2025

Potentia Holdings LLC  
4095 Delmar Ave., Ste. 10  
Rocklin, CA 95677  
[Yuriy\\_74@yahoo.com](mailto:Yuriy_74@yahoo.com)

**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, 8691 CHILI HILL ROAD PROJECT (WDID#5A31CR00534-039), PLACER COUNTY**

On 16 July 2025, Potentia Holdings LLC (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 8691 Chili Hill Road (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](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.

**PROJECT DESCRIPTION:**

The 0.36-acre Project consists of the installation of concrete pipe culvert in the ephemeral swale for a residential property.

Project elements that affect aquatic resources include direct impacts from the installation of concrete pipe culvert. The Project will permanently impact 0.01 acre/30 linear feet of wetland.

**PROJECT TYPE:**

Residential

**PROJECT LOCATION:**

The Project is located at. 8691 Chili Hill Rd, Newcastle, CA 95658

Section 12, Township 12 North, Range 7 East, MDB&M

Latitude: 38.898741° and Longitude: -121.143462

**PROJECT SCHEDULE:**

Project will begin in September 2025.

**PUBLIC NOTICE**

The Central Valley Water Board provided public notice of the application from 18 July 2025 to 8 August 2025. The Central Valley Water Board did not receive any comments during the comment period.

**COMPENSATORY MITIGATION**

To mitigate for the loss of 0.01 acre of wetland, the Permittee shall purchase a minimum of 0.12 wetland credits from the Western Placer County In-Lieu Fee Program for the impacted watershed prior to commencing construction. The Permittee shall provide evidence of purchase of In-Lieu Fee Program credits to the Central Valley Water Board prior to commencing construction. At a minimum, compensatory mitigation must achieve a ratio of 1.5:1 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 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 their 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 \$4,212.00 was received on 25 August 2025.

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 proposed Project will comply with all applicable measures identified within Master Conditions on Covered Activities Checklist, submitted as Attachment 1 of the application. The Applicant will implement the Avoidance and Minimization Measures (AMMs) and construction Best Management Practices (BMPs) outlined in the County Aquatic Resource Program (CARP) document, the Habitat Conservation Program/Natural Community Conservation Program (HCP/NCCP) document, and General Order No. 5 R5-2020-0048.

## **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 | California State Water Resources Control Board](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) ([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](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 Carter Cook by phone at (916) 464-4699 or by email at [Carter.Cook@waterboards.ca.gov](mailto:Carter.Cook@waterboards.ca.gov).

*Original Signed by Anne Walters for:*  
Patrick Pulupa  
Executive Officer

Enclosure: 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*

Attachments: Figure 1 – Impacts Map

cc: [Via email only]

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

Richard McHenry  
CA Sportfishing Protection  
Alliance  
[RMcHenry@calsport.org](mailto:RMcHenry@calsport.org)

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Tangent Design and Engineering  
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Figure 1: Impacts Map

