
Central Valley Regional Water Quality Control Board

28 August 2025

M. Brian Lee
1608 Avondale Dr.
Roseville, CA 95747
Michaelbrianlee@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, LEE FAMILY RESIDENCE (AKA VINEYARD LANE) PROJECT (WDID#5A31CR00534-041), PLACER COUNTY

On 16 July 2020, M. Brian Lee (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 Lee Family Residence (aka Vineyard Lane) 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.

PROJECT DESCRIPTION:

The 2.4-acre Project consists of a single-family home with an accessory dwelling unit and outbuildings. The Project also includes an ornamental pond, a tennis court, pool, and landscaping.

Project elements that affect aquatic resources include grading for site development. The Project will permanently impact 0.026 acre of seasonal wetland swale habitat and 0.272 acre of seasonal wetland habitat.

PROJECT TYPE:

Residential

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 on Vineyard Lane in Roseville.

Section 5, Township 10 North, Range 6 East, MDB&M

Latitude: 38.745368° and Longitude: -121.349391

PROJECT SCHEDULE:

Construction is expected to begin in August 2025 and end in July 2027.

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 0.026 acre of seasonal wetland swale and 0.272 acre of seasonal wetland, the Applicant shall purchase a minimum of 0.45 acre of vernal pool complex credits from the Western Placer County In-Lieu Fee Program for the impacted watershed prior to commencing construction. The Applicant 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 their-lieu fee recipient. The letter must: a) be on the in-lieu fee recipient's letterhead; b) be signed by an authorized representative of their-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 \$11,263.00 was received on 28 July 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 Page (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.

Original Signed by Anne Walter 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 – Site and Vicinity
Figure 2 – Impacts to Waters of the State

cc: Distribution List [Via email only]

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

United States Environmental Protection Agency
R9CWA401@epa.gov

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

Richard McHenry
CA Sportfishing Protection Alliance
RMcHenry@calsport.org

Sarah VonderOhe
Madrone Ecological Consulting
SVonderohe@madroneeco.com

Susan Lee
Madrone Ecological Consulting
SLee@MadroneEco.com

Figure 1: Site and Vicinity

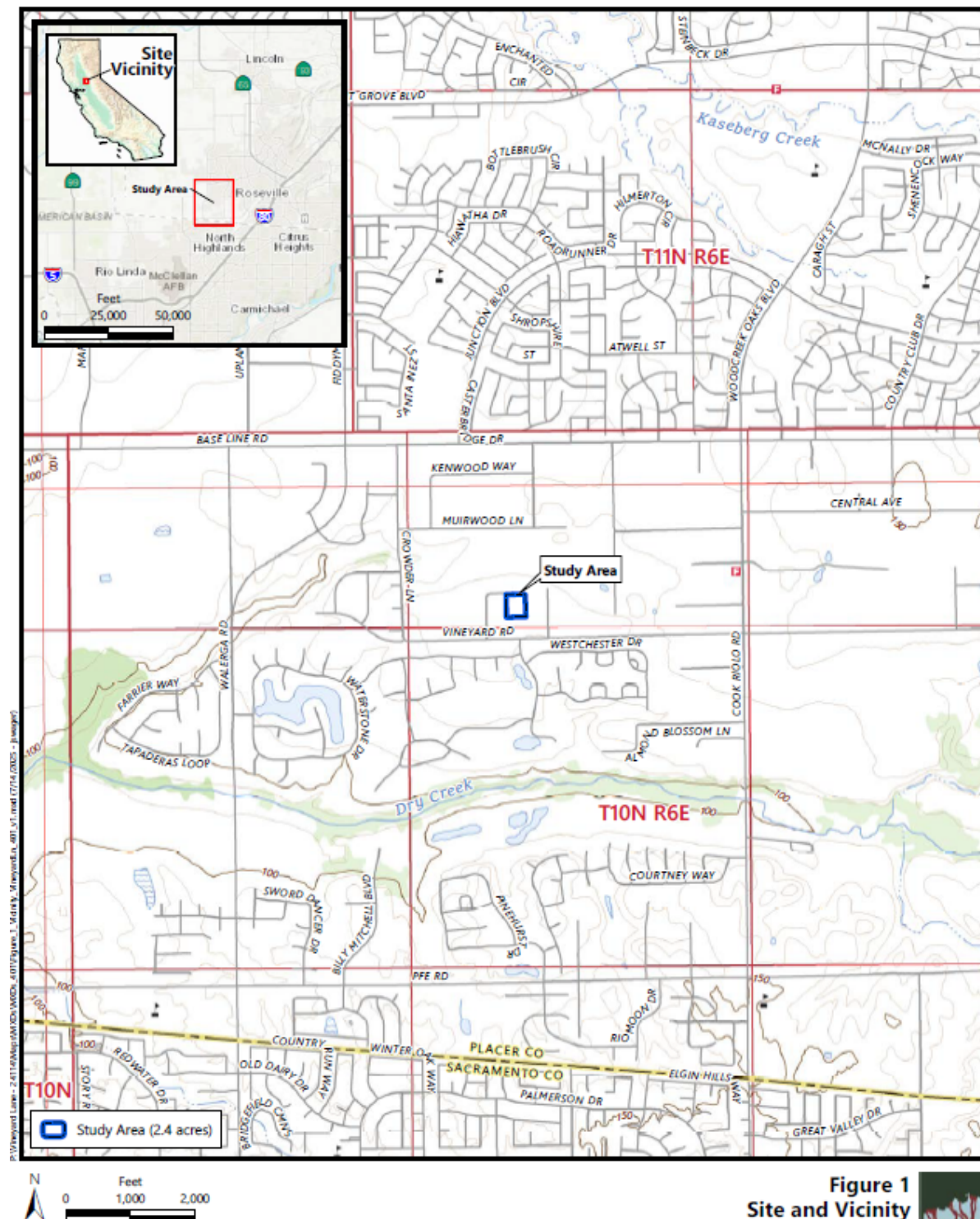


Figure 1
Site and Vicinity

Source: United States Geologic Survey, 2023.
"Citrus Heights, California" 7.5-Minute Topographic Quadrangle
Section 5, Township 10 North, Range 6 East, MDBM
Latitude (NAD83): 38.744896°, Longitude (NAD83): -121.349331°

Vineyard Lane
Placer County, California



Figure 2: Impacts to Waters of the State

