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## Central Valley Regional Water Quality Control Board

7 August 2024

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**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, MONIER CIRCLE STORMWATER DETENTION BASIN PROJECT (WDID#5A34CR00759-029), SACRAMENTO COUNTY**

On 11 November 2023, the City of Rancho Cordova 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 Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the Monier Circle Stormwater Detention Basin 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 Project consists of constructing a 4.3-acre stormwater detention basin on a city owned parcel along Monier Circle that would provide approximately 37.2 acre-feet of storage during a 100-year, 24-hour storm event. A weir will be constructed along a

drainage channel on the south side of the detention basin. During storm events, runoff in the channel would be diverted over the weir into the detention basin where it would be stored until the water surface elevations recede in the channel. Runoff would then be pumped into the channel using a small sump pump.

Construction would consist of clearing and grubbing the existing above ground features that are within the grading limits. Existing trees along Monier Circle and a sewer main within an existing utility easement would be protected and remain. An existing 36-inch drainpipe within an existing utility easement shall remain and outfall into the basin. The existing 36-inch drainpipe within the basin excavation area shall be removed and disposed. All other underground utilities (sewer, drain, water, electrical and gas) within the grading limits would be removed and disposed.

Earthwork excavation would be completed to construct the detention basin and weir spillway. Any excess earthwork material would be off hauled. A pumping station and outfall structure would be constructed adjacent to the existing drainage canal. Upon completion of all earthwork excavations, landscape and irrigation systems would be installed around the detention basin perimeter and an all-weather path would be constructed along the top of detention basin for pedestrian recreational use. Invasive species vegetation along the channel would be removed and replaced with native vegetation where feasible.

Project elements that affect aquatic resources include constructing the weir in the drainage channel. The Project will temporarily impact 0.01 acre/120 linear feet and permanently impact 0.01 acre/10 linear feet of stream channel. Temporarily impacted areas will be restored to pre-Project conditions.

## **PROJECT TYPE**

Channel Construction and Maintenance

## **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 at Monier Circle (APN 072-1010-029) in the City of Rancho Cordova.

Section 6, Township 8 North, Range 7 East, MDB&M

Latitude: 38.580927° N and Longitude: -121.260920° W

**PROJECT SCHEDULE:**

May 2024 through October 2024.

**COMPENSATORY MITIGATION**

To mitigate for the loss of 0.01 acre of stream channel habitat, the Applicant shall purchase a minimum of 0.01 in lieu fee credits from the South Sacramento Habitat Conservation Plan (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 the 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 \$ 2,985.00 was received on 2 July 2024. 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.

**PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:**

**BIO-1: Implement SSHCP General AMMs Condition 1. Avoid and Minimize Urban Development Impacts to Watershed Hydrology and Water Quality:** To satisfy the conditions of the SSHCP, USACE PGP, and RWQCB Order, the City and/or contractor shall implement all project applicable AMMs as described in SSHCP Chapter 5. Condition 1, Avoid and Minimize Urban Development Impacts to Watershed Hydrology and Water Quality.

**BIO-2: Implement SSHCP AMMs Condition 3. Construction Best Management Practices:** To satisfy the conditions of the SSHCP, USACE PGP, and RWQCB Order, the City and/or contractor shall implement all project applicable AMMs as described in SSHCP Chapter 5. Condition 3, Construction BMPs.

**BIO-3: Implement SSHCP AMMs Condition 7. Avoid and Minimize Impacts to Streams and Creeks:** To satisfy the conditions of the SSHCP, USACE PGP, and RWQCB Order, the City and/or contractor shall implement all project applicable AMMs as described in SSHCP Chapter 5. Condition 7, Avoid and Minimize Impacts to Streams and Creeks.

**BIO-4: Secure Aquatic Resource Impact Permit:** To satisfy conditions of the SSHCP Aquatic Resources Program, the City shall secure an aquatic resources impact permit in accordance with the City of Rancho Cordova Municipal Code Chapter 16.94 "Aquatic Resources Protection". The City and/or contractor shall adhere to all conditions outlined in the Aquatic Resource Impact Permit.

**BIO-5: Obtain and Implement USACE PGP and RWQCB Order**

**Authorization:** Before the approval of grading and improvement plans and before any groundbreaking activity associated with the project, the project applicant shall ensure that Clean Water Act (if determined applicable), and State Water Quality Order authorization is obtained.

**BIO-6: Obtain and Implement CDFW 1602 Streambed Alteration Agreement:**

Before the approval of grading and improvement plans and before any groundbreaking activity associated with the project, the project applicants shall ensure that a CDFW 1602 Streambed Alteration Agreement has been obtained. The construction contractor shall adhere to all conditions outlined in the Streambed Alteration Agreement.

**BIO-7: Mitigate for Impacts to Aquatic Resources and Sensitive Habitats:**

Before the approval of grading and improvement plans and before any groundbreaking activity associated with the project, the City shall ensure that mitigation for impacts to aquatic features and other habitat has been implemented through the SSHCP In-Lieu Fee Program or by other methods agreeable to the USACE, RWQCB, CDFW, and South Sacramento Conservation Agency as appropriate, depending on agency jurisdiction.

**WATER QUALITY MONITORING:**

Water quality monitoring is not required if construction will take place when the drainage channel is 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

Enclosure: 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

Attachments: Figure 1: Project Location Map  
Figure 2: Project Design Map  
Figure 3: Project Impact Map

Cc: Distribution List, page 5

**DISTRIBUTION LIST**

[Via email only]

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

California Department of Fish and Wildlife, Region 2  
[R2LSA@wildlife.ca.gov](mailto:R2LSA@wildlife.ca.gov)

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

CWA Section 401 WQC Program  
State Water Resources Control Board  
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[adellas@woodrodgers.com](mailto:adellas@woodrodgers.com)



Figure 1: Project Location

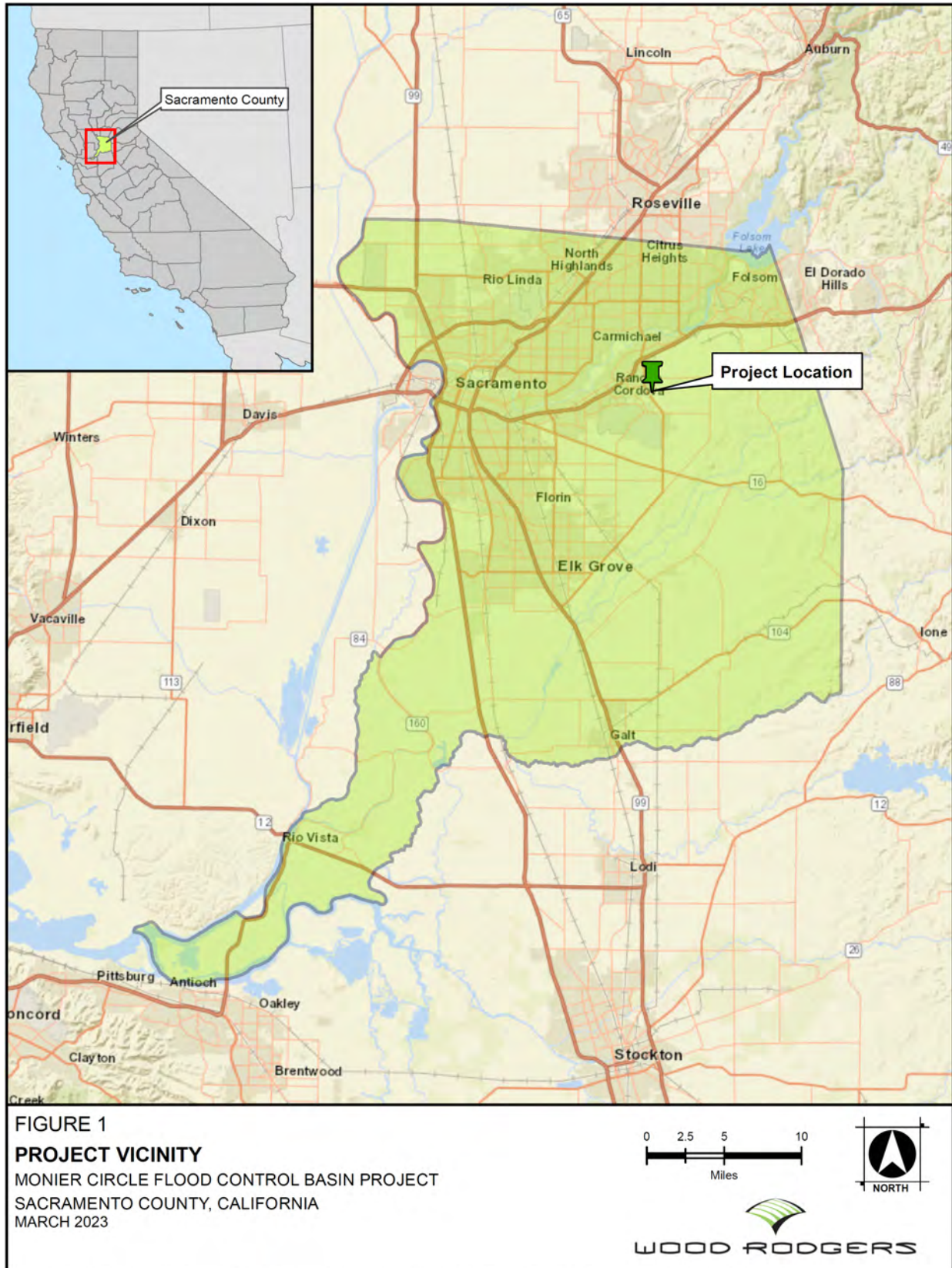




Figure 2: Project Design



**FIGURE 3**  
**PROJECT FEATURES**  
 MONIER CIRCLE STORMWATER DETENTION BASIN PROJECT  
 SACRAMENTO COUNTY, CALIFORNIA  
 OCTOBER 2023

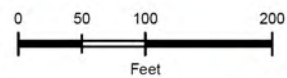
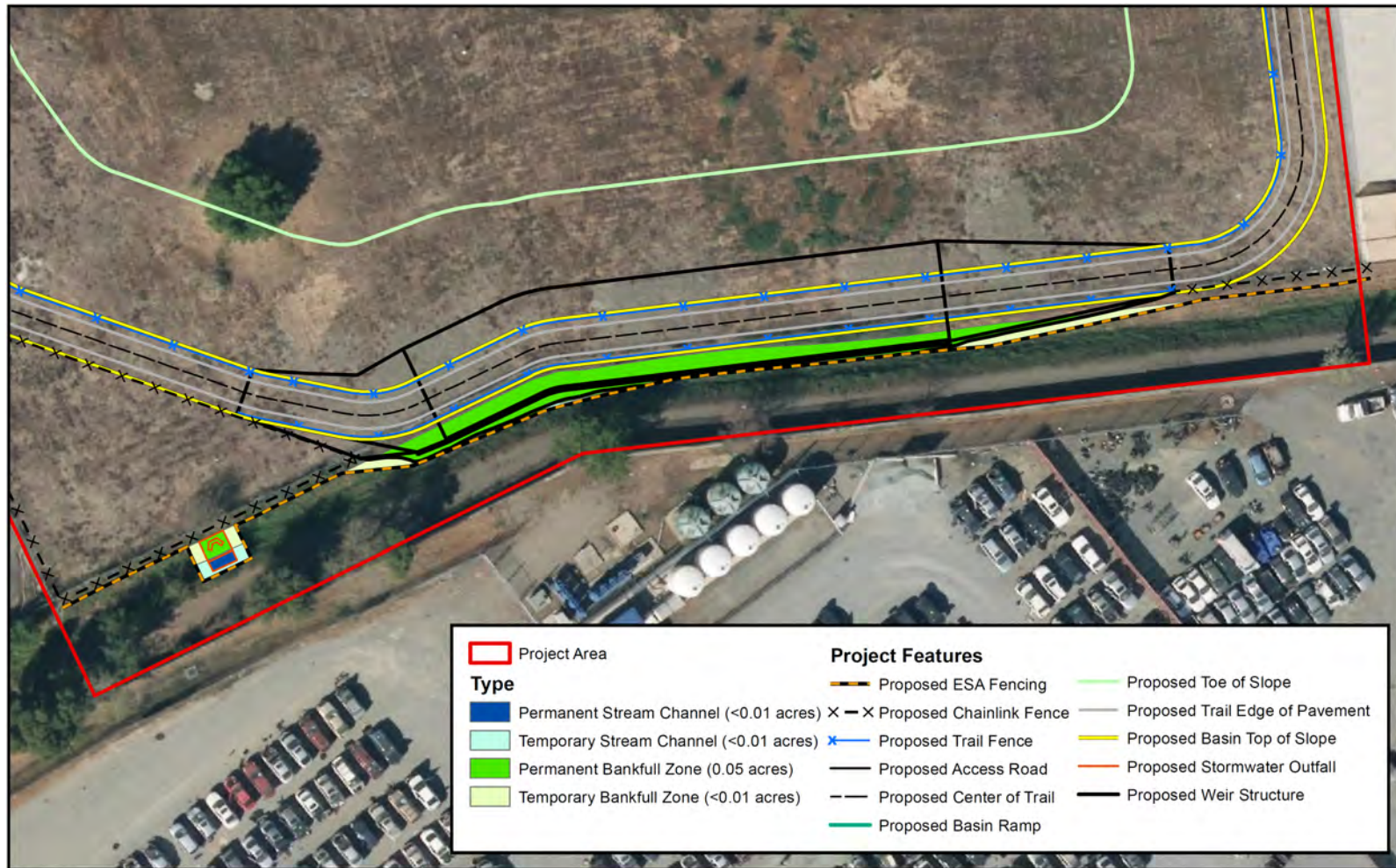




Figure 3: Project Impacts



**FIGURE 6**  
**PROJECT IMPACTS TO JURISDICTIONAL RESOURCES**  
 MONIER CIRCLE STORMWATER DETENTION BASIN PROJECT  
 SACRAMENTO COUNTY, CALIFORNIA  
 OCTOBER 2023

