
Central Valley Regional Water Quality Control Board

20 February 2025

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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, MAVERIK GAS STATION AT SOUTH WATT AVENUE AND JACKSON ROAD PROJECT (WDID#5A34CR00759-034), SACRAMENTO COUNTY

On 20 December 2024, Maverik, Inc. 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 Maverik Gas Station at South Watt Ave and Jackson Road 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).

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 5.11-acre Project consists of developing a Maverik gas station, convenience store, and a shared bypass road with four bioretention areas located at the northwest corner of South Watt Avenue and Jackson Road.

Project elements that affect aquatic resources include mass grading the project site in preparation for construction, which will permanently impact 0.292 acre of seasonal wetland. Approximately 0.08 acre of upland ditch that does not qualify as waters of the State will also be filled.

PROJECT TYPE

Commercial

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 the intersection of South Watt Avenue and Jackson Road in Sacramento

Sections 13,14,18,19, Township 8 North, Range 5, 6 East, MDB&M

Latitude: 38.540733° and Longitude: -121.372145°

PROJECT SCHEDULE:

March 2025 through December 2025.

COMPENSATORY MITIGATION

To mitigate for the loss of 0.292 acre of seasonal wetland, the Applicant shall purchase a minimum of 0.29 seasonal wetland mitigation 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 \$10,880.00 was received on 22 January 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 Permittee shall implement the Avoidance and Minimization Measures submitted as Attachment 4 of the additional application materials submitted on 22 January 2025.

WATER QUALITY MONITORING:

Water quality monitoring is not required if work is conducted when the area 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.

Original Signed By Anne Walters for:

Patrick Pulupa
Executive Officer

Attachments: Figure 1: Project Location
Figure 2: Project Impacts

cc: [Via email only]

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Figure 1: Project Location

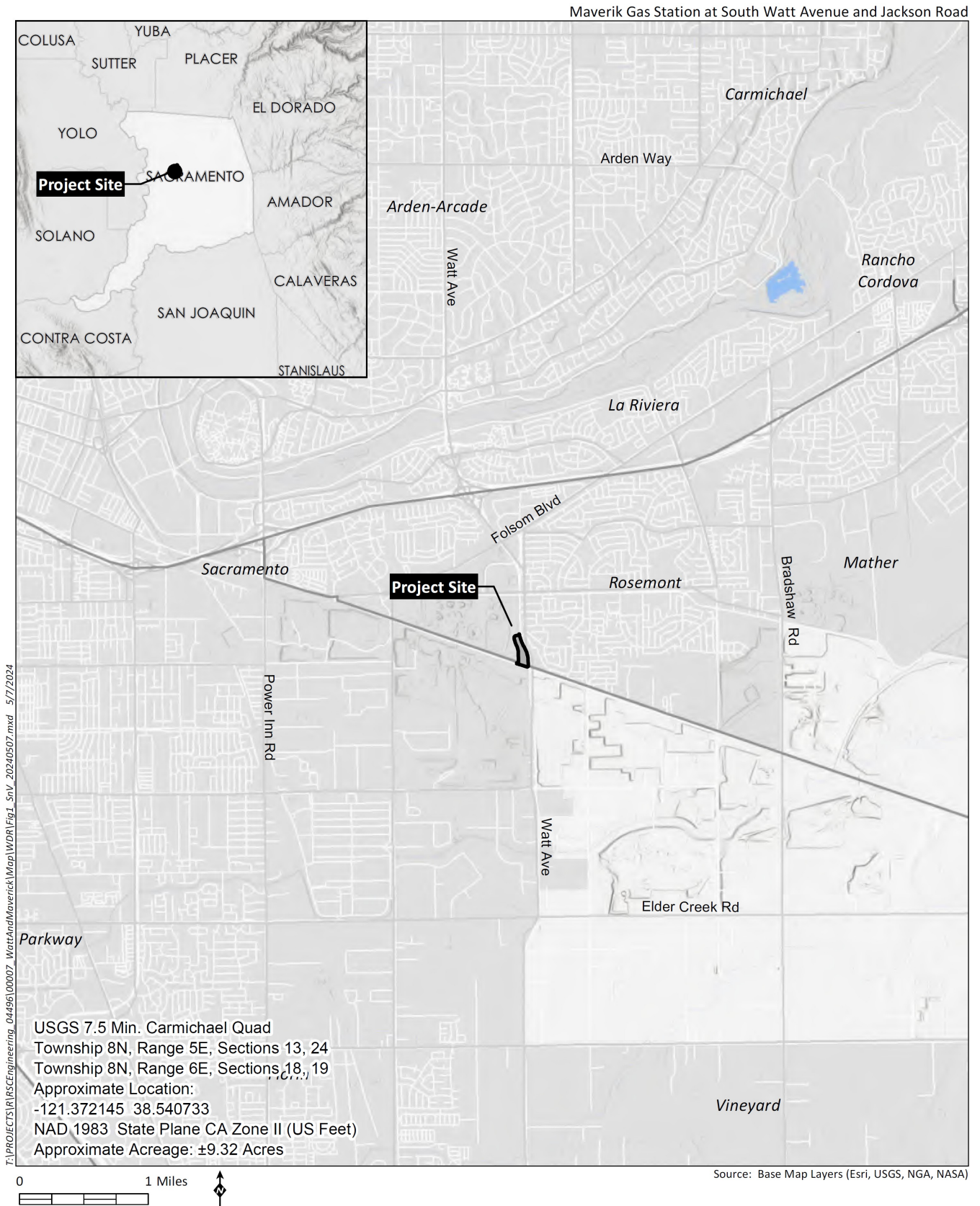


Figure 2: Project Impacts

Maverik Gas Station at South Watt Avenue and Jackson Road



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