



Central Valley Regional Water Quality Control Board

4 December 2024

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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, LEAVELL TEMPORARY WATER LINE PROJECT (WDID#5A31CR00534-033), PLACER COUNTY

On 3 October 2024, Beazer Homes Holdings (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 Leavell Temporary Water Line 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 2.15-acre Project consists of the installation of a temporary water line to facilitate construction of local residential development projects. The 12-inch pipe will be approximately 0.5 miles long and will be trenched at a maximum depth of 48 inches and will provide water to the Project area. The Leavell Temporary Water Line Project is a

design contingency measure in the event that a permanent water line has been constructed for the initiation of future Project activities at the Leavell Property Project. This contingency created an overlap between the Leavell Property Project impact map and the Leavell Temporary Water Line Project impact map. This Notice of Applicability authorizes the installation of the temporary water line under the Leavell Temporary Water Line Project and associated water quality impacts.

Project elements that affect aquatic resources include trenching, placement of the waterline pipe, and back filling. The Project will permanently impact 0.02 acre of seasonal wetland swales, and indirectly impact 0.152 acre of seasonal wetland swale.

PROJECT TYPE:

Agricultural, Domestic, and Irrigated Water Pipeline Conveyance and/or Supply

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 200 Stardust Lane in the City of Lincoln.

Section 24, Township 12 North, Range 6 East, MDB&M

Latitude: 38.878393 ° and Longitude: -121.256201°

PROJECT SCHEDULE:

1 April 2025 through 1 October 2029

PUBLIC NOTICE

The State Water Resources Control Board (State Water Board) provided public notice of the application from 11 October 2024 to 1 November 2024. The Central Valley Water Board did not receive any comments during the comment period.

COMPENSATORY MITIGATION

To mitigate for the loss of 0.02 acre of seasonal wetland swale and for the indirect impacts to 0.15 acre of seasonal wetland swale, the Applicant shall purchase a minimum of 2.56 seasonal wetland 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 the 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 3 October 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:

The proposed Project will comply with all applicable measures identified within Master Conditions on Covered Activities Checklist. 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.

WATER QUALITY MONITORING:

NOT APPLICABLE

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 Nicholas Savino by phone at (916) 464-4920 or by email at Nicholas.Savino@waterboards.ca.gov.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

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

cc: [Via email only]

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Figure 1: Project Location

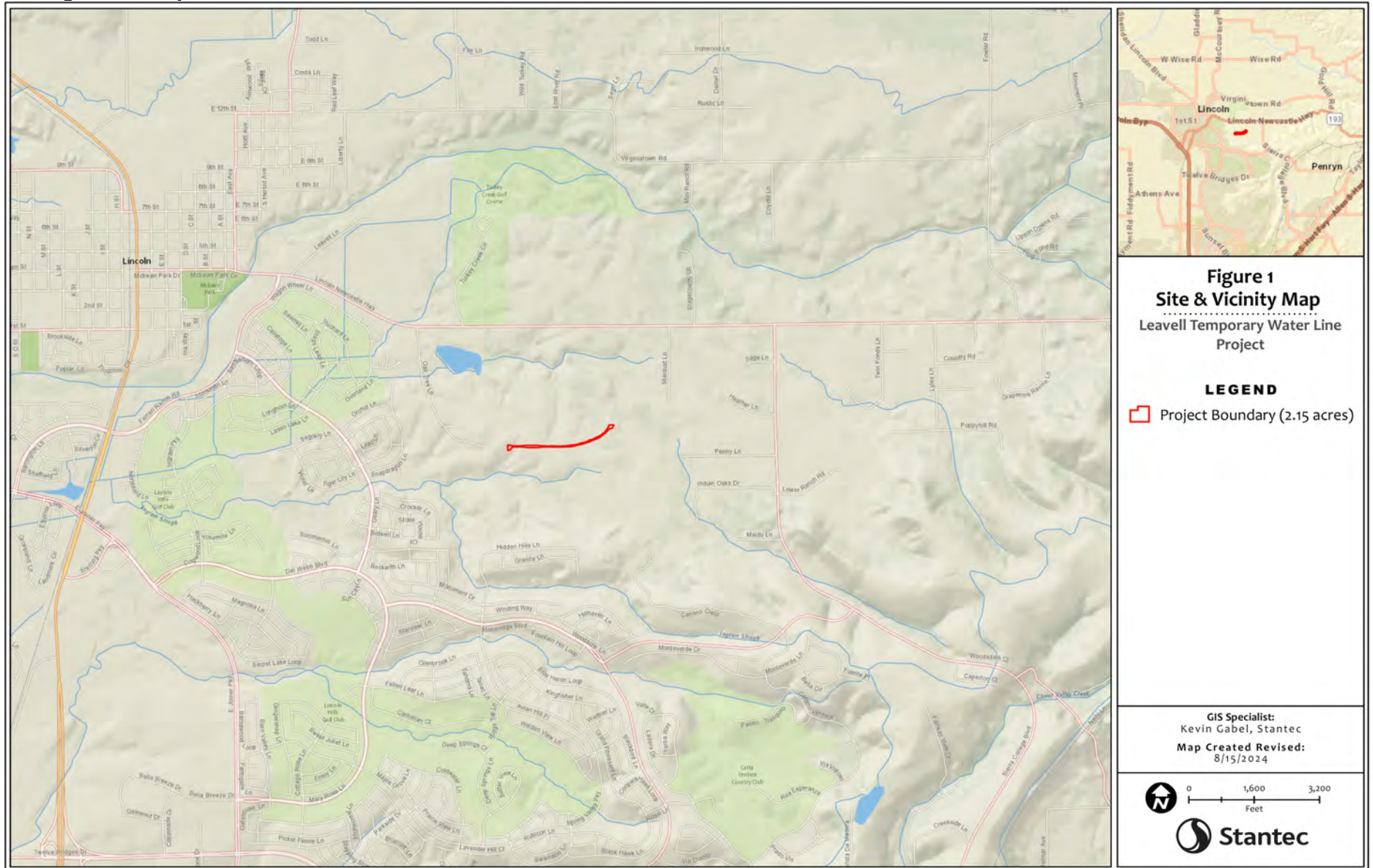


Figure 2: Project Impacts

