
Central Valley Regional Water Quality Control Board

18 November 2022

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NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. 2004-0004-DWQ, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DREDGED OR FILL DISCHARGES TO WATERS DEEMED BY THE U.S. ARMY CORPS OF ENGINEERS TO BE OUTSIDE OF FEDERAL JURISDICTION, HUTTOPIA SIX SIGMA GLAMPING PROJECT (WDID#5A17CR00191), LAKE COUNTY

On 1 July 2022, Huttopia Six Sigma, LLC submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the United States Army Corps of Engineers to be Outside of Federal Jurisdiction.

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Huttopia Six Sigma Glamping Project (Project) meets the requirements of, and is hereby enrolled under, Order No. 2004-0004-DWQ. You may proceed with your Project in accordance with the Order.

A copy of [Order 2004-0004-DWQ](#) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) can be found on the State Water Resources Control Board's Adopted Orders webpage and is enclosed.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. You are responsible for complying with all applicable Order requirements. Failure to comply with Order No. 2004-0004-DWQ 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 seven individual projects, and the future installation of a glamping resort in the upland surrounding the project area. The seven projects include maintaining one culvert, replacing one culvert, installing three new culverts, maintaining one seasonal armored ford, and installing a vehicle crossing. Water during construction

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

is not expected because the onsite streams are completely dry during most of the year.

Project Item 1, known as Stream Crossing 1 (STX-1), is an existing ford that crosses a Class III watercourse. The project will install a 30-inch culvert in the shallow channel to convey the Class III stream under the proposed 6-foot gravel pedestrian foot path.

Project Item 2, known as Stream Crossing 2 (STX-2) in the 2021 LSAA, is an existing, rusted through 24- in corrugated metal pipe (CMP) culvert that is proposed to be replaced and realigned within the Class III stream channel.

Project Item 3, known as Stream Crossing 3 (STX-3) and Associated Channel Realignment is a proposed bridge located over a Class II stream that will connect the main access road to the proposed parking lot.

The bridge footings will be constructed outside of the channel so that the bridge spans the channel, with minimal disturbance to the stream bed to construct for the bridge support footings, thus, the proposed abutments of the bridge will not disturb the stream or riparian area. A 100-year flow event would be contained within the banks of Asbill Creek.

As part of the bridge installation, an alteration of the unnamed Class III watercourse has been determined to be necessary to allow fire access across the bridge to the proposed facilities. The Class III stream alteration is considered necessary to provide the allowable fire road radius to the main parking lot from the bridge. The Class III stream alteration will include re-routing 120 ft of a Class III stream channel and adjusting the stream to allow for fire road access. The resulting Class III stream channel will be consistent with the original channel including width, side slopes, gradients, and bottom composition and able to pass the 100-year flow.

Project Item 4, known as Stream Crossing 7 (STX-7) in the 2022 LSAA Amendment, is a proposed 48-inch culvert to convey the Class III stream under the proposed 6-foot pedestrian foot path. Originally, a pedestrian bridge was proposed in the LSAA at this location.

Project Item 5, known as Stream Crossing 8 (STX-8) in the LSAA agreement, is an existing ford that we will be armored and maintained to convey the Class III stream across the proposed 20-foot gravel access road. The ford will be armored and maintained according to guidelines obtain from the "Best Management Practices for Road Planning, Construction, and Maintenance" by Caltrans, 2019.

Project elements that affect aquatic resources include direct impacts associated with the potential to discharge sediment into adjacent watercourses. Indirect impacts may be associated with the placement of the culverts and may include the potential of a temporary riparian disturbance.

The Project will permanently impact 0.07 acre/245 linear feet of stream bed habitat. Temporarily impacted areas will be restored to pre-Project condition.

PROJECT LOCATION:

The Project is located at 13444 Spruce Grove Road in Lower Lake. The approximate center of the Project area is located at latitude 38.860° and longitude -122.556°.

PROJECT SCHEDULE:

Work will commence as soon as all required regulatory permits are received.

APPLICATION FEE RECEIVED:

\$2,417.00 was received on 15 November 2022.

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 category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

MITIGATION AND MINIMIZATION MEASURES:

The Permitted must implement the mitigation and minimization measures proposed in the submitted final Mitigation and Monitoring Plan.

TERMINATION OF COVERAGE:

Upon completion of the Project, you shall submit a complete Notice of Termination (NOT) requesting to be un-enrolled under Order No. 2004-0004-DWQ. Attachment 2 to the Order contains the NOT form.

If you have questions concerning this matter, please contact Peter Minkel by phone at (916) 464-4684 or by email at PeterG.Minkel@waterboards.ca.gov.

Original Signed by Adam Laputz for:

Patrick Pulupa
Executive Officer

Enclosure: State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ

cc: [Via email only]

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